

Last year, at the United Nations General Assembly, Mr. Nasser voted with the Soviet Union on 53 occasions, but only four times with America. Egypt's discrimination against our shipping, and otherwise affecting our citizens, continues unabated. But, as I said earlier, now we are giving increased assistance to Egypt.

The program for giving these new huge sums to Egypt must be reviewed at all levels and I assure you that I will do my part in Congress toward this end. The voice of Congress, and of the people, will be heard on this issue, you may rest assured. But the action and vital voice and guidance of the ZOA are needed at this dangerous moment.

I know you will neither evade the challenge nor minimize the dangers.

The State Department told me, and I quote verbatim, that "should hostilities recur in the region—the Near East—we are convinced the aggrieved party should take full advantage of the United Nations peace-keeping instrumentalities so readily available in the area."

How in heaven's name can Israel take "full advantage of the United Nations peace-keeping instrumentalities"? We just witnessed the tragic and cynical spectacle of April 9 when the United States, for misguided notions of expediency, joined with the Soviet Union, and other big powers on the Security Council, against Israel, a besieged small country that valiantly sought to defend herself.

What made this move all the more deplorable, as I pointed out in my message to the

President, the Secretary of State, and our Ambassador to the United Nations, is not only did we support the censure resolution but we cosponsored it.

I wish Mr. Dutton or Mr. Rusk—or someone would explain what appears to be a lot of doubletalk. They might as well admit their decision to woo the Arabs at Israel's expense.

I believe Israel is entitled to more than empty phrases from the executive department. I believe that American citizens would be remiss if they did not challenge, in America's own interest, the tragic tendency now apparent.

America must tell Israel that, despite our recent travesty at the United Nations and despite the disquieting reports about massive handouts to an aggressive Egypt, we will reconsider and alter policies before it is too late.

Let us today renew our determination to stand by our friend and true ally, the State of Israel. We must do this in our own national interest. Let us soberly remember, and remind the State Department, that Israel is the only nation in the world which, menaced by Soviet-equipped forces, turned to America to join our military assistance program, to defend herself against communism and aggression, only to be rejected by us as so tragically evidenced by the United Nations censure resolution.

The occasion of Israel's recent anniversary will be truly significant if we now take inventory of the entire picture and generate here a new realization of the dangers, and embark on action to insure the healthy

future of Israel-American relations. If this is done, I am confident that mistakes will be corrected and new paths found so that we can, in good conscience, anticipate a happy fifteenth anniversary of Israel.

Zionists know from the depths of their experience that the "watchman of Israel" must not sleep and must not slumber. It is a duty to be a watchman of Israel, it is also an honor.

The crisis of Zionism is also the crisis of Judaism. Zionism fulfilled becomes a chief source of nourishment of Judaism. Zionism, through the State of Israel, has revived all aspects of Jewish life.

At the Ideological Conference in Jerusalem, some years ago, Foreign Minister Golda Meir made a paradoxical statement. During a debate about Israel and the diaspora, she said that "when I meet my American friends, women who are my contemporaries, I am sorry for them. They worry about their grandchildren. My grandchildren are in a kibbutz in the Negev, but I am absolutely sure about them."

Her confidence is understandable. Grandchildren in the Negev may pose problems concerning health or physical safety. But there are no problems in the matter of the "Jewish" survival of the grandchildren. She might have to worry about defense, but not about the strategy of keeping her offspring Jewish.

The Zionist movement revived Israel, and continues to serve. Today, Israel is reviving the Jewish people and Judaism itself. That is the true dimension of our challenge and our reward.

## SENATE

WEDNESDAY, JUNE 13, 1962

The Senate met at 11 o'clock a.m., and was called to order by the Vice President.

Rabbi David Berent, Congregation Beth Jacob, Lewiston, Maine, offered the following prayer:

O Heavenly Father, Thou Master Architect of the universe; reverently we ask Thy blessing upon the Government of the United States of America and upon all who govern by the consent of this people.

Do Thou bless these representatives of the people of this Republic. Grant them wisdom and understanding in their deliberations. Sanctify their purposes as they serve Thee and their people, and hallow their lives as they give of themselves in dedication.

Make us restless, O Lord, for Thy sake and for the sake of Thy children. Give us turbulence of mind and distress of conscience as long as men are enslaved, discriminated against, and persecuted. Let us feel offended when we want to be serene, indignant when we want to be at ease. In this world which is becoming transformed before our astonished eyes, help us to learn and to teach that we must welcome freedom and human dignity—not resist it. Help us to learn and to teach not merely that resistance to freedom is futile, but a defiance of Thine image and Thy name. Give us, O God, guided leaders, instead of guided missiles. May the words of our mouth and the meditations of our heart be for Thy sake and for the sake of all Thy children. Amen.

## THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, June 12, 1962, was dispensed with.

### MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On June 12, 1962:

S. 1962. An act for the relief of Kenneth David Wooden;

S. 2011. An act for the relief of Antonia Longfield-Smith; and

S. 2099. An act for the relief of Tina Jane Beland.

On June 13, 1962:

S. 107. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Navajo Indian irrigation project and the initial stage of the San Juan-Chama project as participating projects of the Colorado River storage project, and for other purposes.

### LIMITATION OF DEBATE DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

### COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Investigations Subcommittee of the Committee on Gov-

ernment Operations and the Committee on Aeronautical and Space Sciences were authorized to meet today during the session of the Senate.

### EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

#### CONTINUATION OF LAND ACQUISITION PROGRAM

A letter from the Administrator, National Aeronautics and Space Administration, Washington, D.C., reporting, pursuant to law, on the transfer of funds from the "Salaries and expenses" appropriation for fiscal year 1962 to the "Construction of facilities" appropriation for that year to permit continuation of the land acquisition program for the expansion of launch facilities at Cape Canaveral, Fla.; to the Committee on Aeronautical and Space Sciences.

#### FACILITATION OF WORK OF DEPARTMENT OF AGRICULTURE

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to facilitate the work of the Department of Agriculture, and for other purposes (with accompanying papers); to the Committee on Agriculture and Forestry.

#### AMENDMENT OF SECTION 12(10) OF AREA REDEVELOPMENT ACT

A letter from the Under Secretary of Commerce, transmitting a draft of proposed legislation to amend section 12(10) of the Area Redevelopment Act (with accompanying papers); to the Committee on Banking and Currency.

#### REPORT ON REVIEW OF NONCASH GRANT-IN-AID CREDITS ALLOWED FOR PUBLICLY OWNED PARKING FACILITIES, HOUSING AND HOME FINANCE AGENCY

A letter from the Comptroller General of the United States, transmitting, pursuant to

law, a report on the review of noncash grant-in-aid credits allowed for publicly owned parking facilities, Housing and Home Finance Agency, dated June 1962 (with an accompanying report); to the Committee on Government Operations.

#### REPORT ON REVIEW OF STOCK FUNDS AND RELATED CONSUMER FUNDS IN THE DEPARTMENT OF DEFENSE (PART 1)

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a review of stock funds and related consumer funds in the Department of Defense, part 1, dated June 1962 (with an accompanying report); to the Committee on Government Operations.

#### TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of order entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JORDAN, from the Committee on Rules and Administration, without amendment:

S.J. Res. 192. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress (Rept. No. 1586); and

S. Res. 345. Resolution to provide additional funds for the Committee on Armed Services (Rept. No. 1585).

By Mr. JORDAN, from the Committee on Rules and Administration, with amendments:

H.R. 8141. An act to revise the laws relating to depository libraries (Rept. No. 1587).

#### STRENGTHENING AND IMPROVEMENT OF NATIONAL TRANSPORTATION SYSTEM—REPORT OF A COMMITTEE (S. REPT. NO. 1588)

Mr. SMATHERS. Mr. President, from the Committee on Commerce I report favorably, with an amendment, the bill, S. 2560, to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, and for other purposes.

This is an exceedingly complicated piece of legislation, upon which the Subcommittee on Surface Transportation, of which I have the honor to be chairman, held long and thorough hearings. The bill underwent four major revisions during and after the course of the hearings and finally was approved by unanimous vote of the full Committee on Commerce just a few days ago.

The VICE PRESIDENT. The report will be received and printed, and the bill will be placed on the calendar.

#### BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by

unanimous consent, the second time, and referred as follows:

By Mr. SMATHERS:

S. 3405. A bill for the relief of Alvaro Rodriguez Jimenez; to the Committee on the Judiciary.

By Mr. BENNETT:

S. 3406. A bill to amend the Internal Revenue Code of 1954 to exclude from gross income certain allowances and reimbursements for moving expenses paid by an employer to or on behalf of an employee; to the Committee on Finance.

By Mr. CLARK (for himself, Mr. RANDOLPH, Mr. HART, Mr. LONG of Missouri, Mr. JAVITS, Mr. PELL, and Mr. WILLIAMS of New Jersey):

S. 3407. A bill to provide for Federal assistance on a combination grant and loan basis in order to improve patient care in public and other nonprofit hospitals and nursing homes through the modernization or replacement of those institutions which are structurally or functionally obsolete; and for other purposes; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

By Mr. MORSE (for himself, Mr. HICKEY, and Mr. MANSFIELD):

S. 3408. A bill to establish in the Library of Congress a library of musical scores and other instructional materials to further educational, vocational, and cultural opportunities in the field of music for blind persons; to the Committee on Rules and Administration.

By Mr. CASE of New Jersey:

S. 3409. A bill for the relief of the Middlesex Concrete Products & Excavating Corp.; to the Committee on the Judiciary.

By Mr. DIRKSEN (for himself and Mr. CARROLL):

S. 3410. A bill to amend the Administrative Procedure Act, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. DIRKSEN when he introduced the above bill, which appear under a separate heading.)

By Mr. MCCARTHY (for himself and Mr. HART):

S. 3411. A bill to extend the temporary extended unemployment compensation program, to increase the rate of the Federal unemployment tax for taxable year 1964, and for other purposes; to the Committee on Finance.

(See the remarks of Mr. MCCARTHY when he introduced the above bill, which appear under a separate heading.)

By Mr. MUNDT (for himself, Mr. DIRKSEN, Mr. COOPER, and Mr. MORTON):

S.J. Res. 199. Joint resolution to provide for the designation of September 22, 1962, as "Emancipation Proclamation Centennial Day"; to the Committee on the Judiciary.

(See the remarks of Mr. MUNDT when he introduced the above joint resolution, which appear under a separate heading.)

#### HOSPITAL MODERNIZATION ACT OF 1962

Mr. CLARK. Mr. President, on behalf of Senators RANDOLPH, HART, LONG of Missouri, JAVITS, PELL, WILLIAMS of New Jersey, and myself, I introduce, for appropriate reference, a bill to establish a combination matching grant and loan program to assist certain public and private nonprofit hospitals and nursing homes to undertake needed modernization and replacement projects.

In most metropolitan areas today, modernization rather than new bed con-

struction, is the principal health facilities need. A 1960 Public Health Service nationwide survey of each of the 25 U.S. metropolitan areas which have more than 2,500 general hospital beds, and sample reports from 32 smaller areas showed a projected national cost for needed modernization and replacement of \$3.6 billion.

This staggering figure is nearly four times the current high rate of annual construction expenditures in the entire health facilities field, and only a fraction of the latter sum is spent on modernization and replacement which does not add to new bed capacity.

The breakdown of the results of this survey are as follows:

Type of facility	Existing beds (1956)	Projected modernization needs	
		Number of projects	Cost (millions)
All types.....	1, 106, 000	2, 255	\$3, 648
General hospitals.....	606, 000	2, 080	2, 838
Metropolitan areas.....	380, 000	1, 303	2, 187
Nonmetropolitan areas.....	226, 000	777	651
Mental hospitals, State-owned.....	1 500, 000	175	810

<sup>1</sup> Estimated.

In Pennsylvania alone, the estimated backlog of modernization needs as shown in the 1960 survey was \$215 million, including \$35.3 million in Pittsburgh, \$34.1 million in Philadelphia and \$2.2 million in Scranton. The State-by-State figures have never been published but the information on estimated individual State needs can be obtained from the Public Health Service.

Assistant Surgeon General Haldeman in an article in the July 1961 Journal Hospitals explained the problem facing urban communities in these terms:

The depression years and wartime military restrictions caused deficits to accumulate in hospital plants. These deficits led to postwar emphasis on new hospital plants and plant expansion. Since most of our earlier hospitals were in urban centers, postwar attention, with Federal assistance, was focused on rural shortages. This left urban projects with lower priorities. Meanwhile, physical deterioration and functional obsolescence moved slowly but inevitably upon the older city hospitals. In addition to this, urban communities are in a state of social flux around the hospital doors; neighborhoods are being transformed by superhighways, by industry and commerce, and by the movement of people to the suburbs. All of these factors create new pressures requiring that special attention be devoted to urban modernization and replacement, including the relocation of some facilities to other sites.

My bill would authorize the Surgeon General, acting through the State Hill-Burton agencies, to make, first, grants, up to 50 percent of the cost of qualified modernization projects, and/or second, loans instead of grants or to supplement authorized grants, provided the total Federal share did not exceed 80 percent of the cost of the project. In addition, assistance would be provided for the development of comprehensive regional health facilities plans. The amounts to be authorized have been left



blank in the bill pending the development in hearings of data on the optimum size of the proposed program. The date of commencement of the proposed program is July 1, 1963, so there would be no budgetary impact until fiscal year 1964.

Every effort has been made to complement and not to interfere with the existing Hill-Burton construction program. The Hill-Burton State agencies would process the applications, and procedures similar to the existing program would be employed by the Surgeon General. Projects which increase bed capacity by more than 5 percent would be ineligible for modernization funds.

The 50 percent grant figure was chosen as the median point between the maximum and minimum grants available under Hill-Burton. In many of the States where modernization is most needed, only the minimal grants are available under the formula in the existing program, and the cost of modernization is frequently so high that this formula did not seem appropriate or sufficient for a modernization program. A smaller percentage of local financing is required under the modernization proposal than under Hill-Burton on the theory that the existing investment in plant and land in themselves indicate sufficient participation by the localities.

Extensive comments and advice have been received in the preparation of the bill from the Public Health Service, the American Hospital Association, the American Municipal Association, the American Institute of Planners and the Pennsylvania Departments of Health and Public Welfare, and I would like to thank the persons in those agencies who lent assistance.

I ask unanimous consent that the text of the bill and a summary of the measure be printed in the RECORD at the conclusion of my remarks, and that the bill be allowed to remain at the desk for additional cosponsors for a 1-week period.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and summary will be printed in the RECORD, and the bill will lie on the desk, as requested by the Senator from Pennsylvania.

The bill (S. 3407) to provide for Federal assistance on a combination grant and loan basis in order to improve patient care in public and other nonprofit hospitals and nursing homes through the modernization or replacement of those institutions which are structurally or functionally obsolete; and for other purposes, introduced by Mr. CLARK (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Hospital Modernization Act of 1962".*

#### FINDINGS

SEC. 2. (a) The grants for hospital construction authorized by title VI of the Public Health Service Act have resulted, through the assistance and stimulation given to the States and localities, in the construction of

many greatly needed hospitals throughout the Nation. In accordance with the purpose of that title, federally aided hospital construction has in the main been construction of new beds in areas suffering from a total lack or an acute shortage of hospital facilities. The geographic distribution of hospital beds is now far better than it was when the Hospital Survey and Construction Act was enacted. Because of the rapid growth and changing distribution patterns of the population, however, there continues to be widespread need for construction of new hospital beds. In recent years, moreover, a further important need has developed in the growing obsolescence of many of the hospitals that were already in existence when the program of new construction was originally projected. Continued progress toward the declared congressional objective, the provision of adequate hospital facilities for the people of the Nation, now requires not only continuing and rapid addition to the number of hospital beds, but also the modernization, or where necessary the replacement, of many existing structures, in order (1) to improve patient care by increasing the adequacy of services, safety, and efficiency; (2) to keep the Nation's hospital plant functional in relation to evolving medical practice; and (3) to adapt the facilities to new hospital and related medical uses.

(b) There is throughout the country a grave shortage of nursing homes of high quality, a shortage which becomes ever more serious with the growth in the number of aged persons. Through grants for the construction of public and other nonprofit nursing homes, Congress has taken steps to increase the number of nursing home beds. But many of the older institutions are in serious need of modernization or replacement.

(c) The public and nonprofit institutions which are in need of modernization or replacement are generally unable to raise locally the substantial sums required otherwise than by borrowing, and though able to give adequate assurance of repayment, many are unwilling to borrow the necessary funds at commercial interest rates because of the substantial additional cost which would be imposed on their patients.

(d) With respect to new construction of public and other nonprofit health facilities, it is the policy of the Congress to provide the needed assistance in the form of capital grants. With respect to modernization or replacement of obsolete facilities, on the other hand, the established sources of income of the institutions make practicable and desirable a Federal program of grant and loan payments. Under such a program any payment may consist of a grant amounting to not more than half the cost of such modernization or replacement project, and/or a loan without a grant or to supplement a grant as long as the Federal share does not exceed 80 per centum of the cost of the project. The establishment of such a combination grant and loan program, as a corollary to the program of grants for new construction, is now essential to the orderly and balanced development of the Nation's health facilities.

#### AMENDMENT ADDING TITLE VIII TO THE PUBLIC HEALTH SERVICE ACT

SEC. 3. The Public Health Service Act (42 U.S.C., ch. 6A) is hereby amended by adding, immediately after title VII thereof, the following new title:

#### "TITLE VIII—GRANTS AND LOANS FOR MODERNIZATION OR REPLACEMENT OF HOSPITALS AND NURSING HOMES

##### "Declaration of purpose

"SEC. 801. The purpose of this title is to assist, through payments which consist of grants and/or loans in the modernization or replacement of public and other nonprofit hospitals and nursing homes which are nec-

essary to the provision of adequate hospital and nursing home services to the people, but which are structurally or functionally obsolete.

##### "Definitions

"SEC. 802. As used in this title—

"(a) the term 'hospital' includes general, mental, chronic disease, and other types of hospitals, and related facilities, such as laboratories, outpatient departments, nurses' homes and training facilities, and central service facilities operated in connection with hospitals, but does not include any hospital furnishing primarily domiciliary care;

"(b) the term 'nursing home' means a facility for the accommodation of convalescents or other persons who are not acutely ill and not in need of hospital care, but who require skilled nursing care and related medical services.

"(1) which is operated in connection with a hospital, or

"(2) in which such nursing care and medical services are prescribed by, or are performed under the general direction of, persons licensed to practice medicine or surgery in the State;

"(c) the term 'public' means owned and operated by a political subdivision of a State or by an instrumentality of such a political subdivision, or by a State university or medical school; or by a State (in the case of general hospitals only);

"(d) the term 'nonprofit' means owned and operated by one or more nonprofit corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual;

"(e) the term 'modernization' means major repair (to the extent permitted in regulations), renovation, or remodeling of an existing structure, and includes equipment incident thereto, but does not include any expansion of the structure which increases bed capacity by more than 5 per centum;

"(f) the term 'replacement' means construction (as defined in section 631(h)) of a facility designed primarily, as determined pursuant to regulations prescribed under section 806(4), to serve the same needs as a facility or facilities which have been or will be closed, and does not include any construction to provide bed capacity of more than 105 per centum of the capacity of such closed facility or facilities;

"(g) the term 'State' includes Puerto Rico, Guam, the Virgin Islands, and the District of Columbia;

"(h) the term 'State agency' means the agency designated in accordance with section 623(a)(1);

"(i) the terms 'cost of construction' and 'title' shall have the meanings, respectively, prescribed in section 631 (i) and (j); and

"(j) the term 'Federal Hospital Council' means the Council appointed under section 633(b).

##### "Authorization of payments

"SEC. 803. The Surgeon General is authorized to make grant and/or loan payments for the modernization or replacement of public and other nonprofit hospitals or nursing homes which he finds are necessary for the provision of adequate hospital or nursing home services to the people of the respective States, but which are structurally or functionally obsolete (as determined in accordance with the regulations). As requested in the application and as determined by the Surgeon General to be necessary to carry out the purpose of this Act, any such payment may include or consist exclusively of a grant from funds appropriated pursuant to section 804 in an amount not to exceed 50 per centum of the cost of construction for such modernization or replacement, and may include or consist exclusively of a loan from funds obtained under section 805, amounting to part of such cost or part of the remaining portion of such cost, but in

no event shall a payment consisting exclusively of a loan, or including a grant and a loan, exceed in amount 80 per centum of such cost.

*"Authorization of grant funds"*

"Sec. 804. There is authorized to be appropriated for making grants under the provisions of this title the sum of \$----- for the fiscal year beginning July 1, 1963, and for each fiscal year thereafter.

*"Authorization of loan funds"*

"Sec. 805. (a) In order to obtain funds for loans under this title, the Surgeon General may, on or after July 1, 1963, from time to time issue notes and obligations for purchase by the Secretary of the Treasury. The maximum aggregate principal amount of such notes and obligations outstanding at any one time shall not exceed the sum of \$-----.

"(b) Notes or other obligations issued by the Surgeon General under this section shall be in such forms and denominations, have such maturities, and be subject to such terms and conditions as may be prescribed by the Surgeon General, with the approval of the Secretary of the Treasury, and shall bear interest at a rate determined by the Secretary of the Treasury which shall be not less than the average annual interest rate on all interest-bearing obligations of the United States then forming a part of the public debt as computed at the end of the fiscal year next preceding the issuance by the Surgeon General and adjusted to the nearest one-eighth of 1 per centum. The Secretary of the Treasury is authorized and directed to purchase any notes and other obligations of the Surgeon General issued under this section and for such purpose is authorized to use as a public-debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under such Act, as amended, are extended to include any purchases of such notes and other obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this section. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public-debt transactions of the United States.

"(c) There are hereby authorized to be appropriated to the Surgeon General such sums as may be necessary, together with loan principal and interest payments made under this title, for payments on notes or other obligations issued by the Surgeon General under this section. Such principal and interest payments, if not necessary for such payments on notes or other obligations, shall be available for loans under this title.

*"General regulations"*

"Sec. 806. The Surgeon General, after consultation with the Federal Hospital Council and with the approval of the Secretary, shall by regulation prescribe—

"(1) the method of allotting among the States grant and loan funds made available under this title for each fiscal year, on the basis of the population of the respective States, as determined on the basis of the latest figures certified by the Department of Commerce, and other factors which the Surgeon General finds pertinent, in such manner as to reflect so far as possible the relative need of the States for such funds for modernization and replacement of public and other nonprofit hospitals and nursing homes;

"(2) subject to the provisions of this title, the terms and conditions applicable to any funds loaned hereunder;

"(3) the general manner in which the State agency shall determine the priority of projects based on the relative degree of obso-

lescence of the various hospitals and nursing homes within the State which are in need of modernization or replacement, and the relative parts which such hospitals and nursing homes play in the provision of services to the people of the State and such other factors as the Surgeon General may by regulation prescribe;

"(4) criteria for determining whether a facility proposed to be constructed is designed primarily to serve the same needs as a facility or facilities which have been or will be closed, taking into account the population to be served and the general character of the services to be provided;

"(5) supplementation for application to replacement projects, and revision for application to modernization projects, of the regulations relating to standards for construction and equipment issued under section 622 (e), and of the regulations supplementary thereto issued under section 653(a) with respect to nursing homes; and

"(6) supplementation and modification, for application to projects under this title, of (A) the regulations relating to nondiscrimination and to services to persons unable to pay therefor issued under section 622(f), with the modification that the exemption relating to separate facilities stated in clause (1) of such section shall not apply to projects under this title, (B) the regulations relating to methods of administration issued under section 622(g), and (C) the regulations supplementary thereto issued under section 653(a) with respect to nursing homes.

*"State plans"*

"Sec. 807. (a) Any State desiring to take advantage of this title may submit, as a revision of or supplement to its hospital construction plan approved under section 623 (or such plan as extended to the construction of nursing homes under section 653), a plan for the modernization and replacement of hospitals, or of hospitals and nursing homes, which meet the conditions stated in section 801. Such plan must—

"(1) meet the requirements of section 623(a) other than paragraphs (4), (5), and (10) thereof (relating to the State hospital construction program, priorities of construction, and periodic review and modification of the construction program); and if the plan includes nursing homes, meet the requirements of section 653(a) (2) (relating to the conformity of the State nursing home construction program with regulations of the Surgeon General);

"(2) set forth a program of modernization and replacement of hospitals, or of hospitals and nursing homes, which (A) is based on a statewide survey of need and takes into consideration any areawide program developed in an area within (or partly within) the State and approved by the State agency, and (B) meets the requirements as to lack of discrimination on account of race, creed, or color, and for furnishing needed hospital services to persons unable to pay therefor, prescribed by regulations issued under section 622(f) as supplemented and modified for the purposes of this title as provided in section 806(6) above;

"(3) set forth, with respect to hospitals or with respect to hospitals and nursing homes, the relative need determined in accordance with regulations issued under section 806(3), for the several projects included in such program, and provide for carrying them out, insofar as the financial resources available therefore make possible, in the order of such relative need; and

"(4) provide that the State agency will from time to time, and in any event whenever an areawide program referred to in clause (2) has been developed and approved by the State agency, review its program and submit to the Surgeon General any modifications thereof which it considers necessary.

"(b) The Surgeon General shall approve any State plan and any modification thereof of which complies with the provisions of subsection (a).

*"Allotments to States of grant and loan funds"*

"Sec. 808. Each State shall be entitled for each fiscal year for which funds are authorized under this title to an allotment, determined in accordance with regulations issued under section 806(1), from the amounts made available for that fiscal year pursuant to section 804 and section 805. The Surgeon General shall notify each State agency, as promptly as possible after funds for a fiscal year are made available under each such section, of the amount of the State's allotment of the funds provided pursuant to such section, but no payment shall be made out of the allotment of a State until a State plan under section 807(a) has been submitted by such State and approved by the Surgeon General. Sums allotted to a State under this title for a fiscal year and remaining unobligated at the end of such year shall remain available to such State for the same purposes for the next fiscal year (and for such year only), in addition to the sums allotted for such State for such next fiscal year.

*"Applications for and approval of payments"*

"Sec. 809. (a) An application for a payment under this title shall be submitted, by a public or other nonprofit agency, to the Surgeon General through the State agency. If two or more public or other nonprofit agencies join in the project, the application may be filed by one or more of such agencies.

"(b) The application shall set forth (1) a description of the project, including a description of the site of the project; (2) plans and specifications for the project which are in accord with regulations as revised and supplemented under section 806(5); (3) reasonable assurance that title to the site of the project, and to any structure thereon, is or will be vested in one or more of the agencies filing the application, or in a public or other nonprofit agency which is to operate the hospital or nursing home; (4) the amount, if any, requested as a loan under the provisions of this title; (5) reasonable assurance that any financial support needed, in addition to that furnished under the provisions of this title, will be available for carrying out the project, and that adequate financial support will be available for maintenance and operation when completed, and for payment of interest and repayment of principal of any funds loaned, in accordance with the terms of the loan; (6) reasonable assurance that the operation will be in compliance with applicable State standards for operation and maintenance, and with regulations as supplemented and modified under section 806(6) relating to nondiscrimination and to services to persons unable to pay; (7) the estimated cost of the project; (8) assurance that no grant has been made for the same project under title VI, and that no application for such grant is pending; (9) if the project is one for replacement, satisfactory evidence, in accordance with regulations issued under section 806(4), that the facility to be constructed is designed primarily to serve the same needs as a facility or facilities which have been or will be closed; and (10) adequate assurance that all laborers and mechanics employed by contractors or subcontractors in the performance of work on construction assisted by such payment will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5), and will receive compensation at a rate not less than one and one-half times the basic rate of pay for all hours



worked in any workweek in excess of 8 hours in any workday or 40 hours in the workweek, as the case may be. The Secretary of Labor shall have, with respect to the labor standards specified in paragraph (10) of this subsection, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267), and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

"(a) Each such application shall be accompanied by (1) a recommendation by the State agency of approval of the project, based on findings that the project meets the requirements of subsection (b) and that the estimated cost of construction is reasonable; and (2) a certification by the State agency that the application is in accordance with the State plan approved under section 807(b), that funds for the project are available from the State's allotments under this title, and that the project is entitled to priority over other projects within the State in accordance with regulations issued under section 806(3).

"(d) The Surgeon General shall approve such application if sufficient funds to pay the Federal share of the cost of the project are available from the allotment to the State, and if the Surgeon General (A) finds that the application contains reasonable assurance as to title, financial support, and payment of prevailing rates of wages; (B) finds that the application is in conformity with the State Plan approved under section 807 of this title and contains an assurance that in the operation of the hospital or nursing home there will be compliance with the applicable requirements of the State Plan and of the regulations prescribed under section 806(6) of this title; and (C) concurs in the findings and certification by the State agency under subsection (c). No application shall be disapproved because of disagreement with the findings or certification of the State agency until the Surgeon General has afforded the State agency an opportunity for a hearing.

"(e) Amendment of any approved application shall be subject to approval in the same manner as an original application.

#### "Payments

"Sec. 810. (a) Whenever an application has been approved under section 809(d), the Surgeon General is authorized to make a payment to the applicant in accordance with the provisions of this title. Any loan or portion of such payment which is a loan shall (1) bear interest at a rate not less than the rate arrived at by adding one-quarter of 1 per centum per annum to the rate which the Secretary of the Treasury determines to be equal to the average annual interest rate on all interest-bearing obligations of the United States when forming a part of the public debt as computed at the end of the fiscal year next preceding the date the application for the loan is approved and by adjusting the results so obtained to the nearest one-eighth of 1 per centum, and (2) subject to the provisions of regulations issued under section 806(2), shall be secured in such manner (if any) and repaid in such installments and within such period, not exceeding forty years, as the Surgeon General may determine. Subject to the provisions of this subsection and of such regulations, the amount or terms of a loan may be modified upon approval of an amendment of an application.

"(b) A grant or portion of a payment which is a grant under this title shall be made to the applicant in installments, each of which shall be paid upon certification by the State agency, based upon inspection by it, that work has been performed upon the project, or purchases have been made, in accordance with the approved plans and specifications, and that an installment is due. A loan or portion of a payment which is a loan under this title shall be made to

the applicant in such installments or in lump sum and in advance or otherwise as the Surgeon General may prescribe by regulations. If the Surgeon General, after investigation or otherwise, has ground to believe that a default has occurred requiring action pursuant to section 811(a) he may, upon giving notice of hearing pursuant to such subsection, withhold further advances pending action based on such hearing.

"(c) If, at any time before any loan or loan portion of a payment for a project has been repaid in full, any of the events specified in clause (A) or clause (B) of section 625(e) shall occur with respect to such project, the unpaid balance of the loan shall become immediately due and payable by the applicant, and any transferee of the facility shall be liable to the United States for such repayment to the same extent as the borrower. The provisions of section 625(e), relating to recovery of expenditures under certain conditions, shall apply in the case of any grant payment made under this title.

#### "Withholding of funds

"Sec. 811. (a) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the State agency designated in accordance with section 623(a)(1), finds (1) that the State agency is not complying substantially with the provisions required by section 807(a) to be contained in its plan, or (2) that any funds have been diverted from the purposes for which they were advanced, or (3) that any assurance given in an application filed under section 809 is not being or cannot be carried out, or (4) that there is a substantial failure to carry out plans and specifications approved by the Surgeon General under section 809, or (5) that adequate State funds are not being provided annually for the direct administration of the State plan, the Surgeon General may withhold further advances from all projects in the State, or from any project or projects affected by the default as he may determine to be appropriate under the circumstances, until the default has been corrected; and if it is not corrected he shall reduce, by the proper amount, the Federal share of the cost of the project affected by the withholding.

"(b) The provisions of section 632(b), relating to judicial review of action by the Surgeon General under section 632(a), shall be applicable to action by him under subsection (a) of this section.

#### "Administration; general provisions

"Sec. 812. (a) In administering this title the Surgeon General shall consult with the Federal Hospital Council. He is authorized to make such administrative regulations and perform such other functions as he finds necessary to carry out the provisions of this title. Any such regulations shall be subject to the approval of the Secretary.

"(b) In the performance of, and with respect to, the functions, powers, and duties vested in him by this title, the Surgeon General notwithstanding the provisions of any other law, shall maintain an integral set of accounts which shall be audited annually by the General Accounting Office in accordance with the principles and procedures applicable to commercial transactions as provided by the Government Corporation Control Act, as amended, and no other audit shall be required: *Provided*, That such financial transactions of the Surgeon General as the making of loans and vouchers approved by the Surgeon General in connection with such financial transactions shall be final and conclusive upon all officers of the Government.

"(c) In the performance of, and with respect to, the functions, powers, and duties vested in him by this title, the Surgeon General notwithstanding the provisions of any other law, may—

"(1) sue and be sued;

"(2) foreclose on any property or commence any action to protect or enforce any right conferred upon him by any law, contract, or other agreement, and bid for and purchase at any foreclosure or any other sale any property in connection with which he has made a payment pursuant to this title, and in the event of any such acquisition, the Surgeon General may, notwithstanding any other provision of law relating to the acquisition, handling, or disposal of real property by the United States, complete, administer, remodel and convert, dispose of, lease and otherwise deal with, such property: *Provided*, That any such acquisition of real property shall not deprive any State or political subdivision thereof of its civil or criminal jurisdiction in and over such property or impair the civil rights under the State or local laws of the inhabitants on such property;

"(3) enter into agreements to pay annual sums in lieu of taxes to any State or local taxing authority with respect to any real property so acquired or owned;

"(4) sell or exchange at public or private sale, or lease, real or personal property, and sell or exchange any securities or obligations, upon such terms as he may fix;

"(5) obtain insurance against loss in connection with property and other assets held;

"(6) subject to the specific limitations in this title, consent to the modification, with respect to the time of payment of any installment of principal or interest, security, or any other term of any loan under this title, of any contract or agreement to which he is a party or which has been transferred to him pursuant to this title; and

"(7) include in any contract or instrument made pursuant to this title such other covenants, conditions, or provisions as he may deem necessary to assure that the purposes of this title will be achieved.

"(d) Section 3709 of the Revised Statutes shall not apply to any contract for services or supplies on account of any property acquired pursuant to this title if the amount of such contract does not exceed \$1,000.

"(e) In administering this title, the Surgeon General, with the approval of the Secretary, is authorized to utilize the services and facilities of any executive department or agency in accordance with an agreement with the head thereof. Payment for such services and facilities shall be made in advance or by way of reimbursement, as may be agreed upon between the Secretary and the head of the department or agency furnishing them.

"(f) Except as otherwise specifically provided, nothing in this title shall be construed as conferring on any Federal officer or employee the right to exercise any supervision or control over the administration, personnel, maintenance, or operation of any hospital or nursing home with respect to which any funds have been or may be expended under this title.

#### "Assistance in area planning

"Sec. 813. (a) In order to carry out more effectively his duties under the Public Health Service Act, the Surgeon General may make grants-in-aid on such terms and conditions and in such installments, and in advance or otherwise as he may determine, to States, political subdivisions, universities, hospitals, and other public and private nonprofit institutions or organizations, to assist in developing and publicizing comprehensive regional, metropolitan or local area plans for coordination of hospitals, nursing homes and other health facilities, provided that such grants may be made only for the development of plans specifically certified to be needed by a State agency or agencies.

"(b) There is authorized to be appropriated for the purpose of this section the sum of \$\_\_\_\_\_ for the fiscal year beginning July 1, 1962, and for each fiscal year thereafter."

## TECHNICAL AMENDMENTS

SEC. 4. (a) Section 1 of the Public Health Service Act is amended to read:

"Sec. 1. Titles I to VIII, inclusive, of this Act may be cited as the 'Public Health Service Act'."

(b) Section 625(a) of such Act (42 U.S.C. 291h(a)) is amended by inserting at the end thereof: "No application shall be approved for the same project for which a payment has been made under title VIII, or for which an application for such a payment is pending."

(c) Section 632(b)(3) of such Act (42 U.S.C. 291j(b)(3)) is amended by striking out "sections 239 and 240 of the Judicial Code, as amended" and inserting in lieu thereof: "section 1254 of title 28, United States Code".

(d) The Act of July 1, 1944 (58 Stat. 682), as amended, is further amended by renumbering title VIII (as in effect prior to the enactment of this Act) as title IX, and by renumbering sections 801 through 814 (as in effect prior to the enactment of this Act), and references thereto, as sections 901 through 914.

The summary presented by Mr. CLARK is as follows:

#### HOSPITAL MODERNIZATION ACT OF 1962

##### I. SUMMARY OF MAJOR PROVISIONS

The purpose of the bill is to establish a separate program of Federal assistance to the States, in the form of grants and loans, administered by the Surgeon General, to pay the cost of modernizing or replacing existing public and nonprofit hospitals and nursing homes which have become structurally or functionally obsolete.

The modernization projects which could be undertaken under the program would include major repairs, renovation or remodeling of existing structures and equipment, so long as they do not result in the expansion of a structure to increase its bed capacity by more than 5 percent. The facilities that could be replaced under the program are those that have been closed or are about to be closed and the replacement facilities would have to serve the same needs as those that are replaced. No replacement facility could be constructed with a bed capacity of more than 105 percent of the capacity of the closed facility.

The new program proposed by the bill (adding a new title VIII to the Public Health Service Act) would be in addition to the existing program of Federal assistance for the construction of new hospitals authorized by the 1946 Hill-Burton Act (title VI of the Public Health Service Act.) The new program, in general, would follow the Hill-Burton legislative pattern but would differ as to method of allotting money to the States and the manner of financing projects.

Under the bill the Surgeon General would be authorized to make payments with respect to qualified facilities in the form of (1) a grant amounting to not more than one-half the cost of the modernization or replacement project; and/or (2) a loan for part of the cost, but in no event would a payment consisting solely of a loan, or including a grant and a loan, be allowed to exceed 80 percent of the cost of the project.

The Hill-Burton Act authorizes the Surgeon General to make grants for constructing qualified facilities. In certain cases loans may be made in place of grants although such loans have been extremely rare. The amount of a grant for any particular project under the Hill-Burton program may range from one-third to two-thirds the cost of the project under a variable matching formula, which seeks to relate local effort to statewide fiscal ability in comparison with the average ability of the Nation as a whole. A State may elect to receive a uniform Fed-

eral share of 50 percent of the cost of constructing certain facilities authorized separately under the Hill-Burton Act (including nursing homes). The act provides minimum allotments to the States for the various categories of facilities for which grants are made (e.g., \$200,000 a year for hospitals and public health centers and \$20,000 for nursing homes).

Under the bill, the method of allotting grant and loan funds among the States for each fiscal year would be prescribed by regulations issued by the Surgeon General, after consultation with the Federal Hospital Council (established under the Hill-Burton Act) and with the approval of the Secretary of Health, Education, and Welfare. The allotment of these funds would have to be made on the basis of the population of the States, and other pertinent factors, in such a manner as to reflect as far as possible the relative needs of the States for modernization or replacement of qualified facilities.

The bill authorizes the appropriation of \$\_\_\_\_\_ for the fiscal year beginning July 1, 1963, and each subsequent fiscal year for the purpose of making grants. In order to obtain funds for loans the Surgeon General would issue notes and obligations, not exceeding \$\_\_\_\_\_ in principal at any one time, for purchase by the Secretary of the Treasury. Loans to borrowing hospitals and nursing homes would bear interest at a rate equal to the current average annual interest rate on all interest-bearing obligations of the United States plus one-quarter of 1 percent and would be repayable in such installments and within such period, not exceeding 40 years, as the Surgeon General determines.

In order to obtain benefits under the bill a State would be required to submit a State plan, as a revision or supplement of its plan submitted under the Hill-Burton Act, which meets the requirements of regulations issued by the Surgeon General. The Surgeon General's regulations would pertain to such matters as the manner in which State agencies determine priority of projects and criteria for determining whether a facility is designed to serve the same needs as the one it is to replace. In some instances the Surgeon General's regulations under the bill would supplement and modify those issued under the Hill-Burton Act. With respect to regulations prohibiting nondiscrimination on account of race, creed, or color in a facility that receives assistance under the bill, however, the existing provisions of the Hill-Burton Act authorizing separate but equal facilities would not apply.

The bill also authorizes \$\_\_\_\_\_ a year to be appropriated for grants to States, political subdivisions, universities, hospitals, and other public and private nonprofit institutions to assist in developing and publicizing comprehensive regional, metropolitan, or local area plans for coordination of hospitals, nursing homes, and other health facilities.

The enacting clause contains a short title, "Hospital Modernization Act of 1962."

The remainder of the bill is divided into three sections as follows:

##### Section 2: Findings.

Section 3 adds a new title to the Public Health Service Act: "Title VIII—Grants and Loans for Modernization or Replacement of Hospitals and Nursing Homes."

##### Section 4: Technical amendments.

Section 2 of the bill contains findings of fact.

Subsection (a) contains a statement that as a result of the grants under title VI of the Public Health Service Act to the States and localities many needed hospitals have been constructed throughout the Nation; that this construction has mainly been new beds in areas suffering a lack or shortage of such facilities and that the geographic distribution of hospital beds is better than when

the Hospital Survey and Construction Act was first enacted in 1946; but that because of population growth and changing patterns the need has continued for the construction of new hospital beds; that another need has developed because of the obsolescence of hospital facilities already in existence.

Subsection (b) contains a statement that there exists a grave shortage of nursing homes because many are in need of modernization or replacement.

Subsection (c) relates to the inability of, or the high cost to, public and nonprofit institutions in need of replacement or modernization to raise funds locally.

Subsection (d) recites the policy of the Congress as to providing assistance by way of grants for the new construction of public and other nonprofit health facilities. Establishes a new policy of setting up a combination grant and loan program for the modernization or replacement of obsolete public and nonprofit health facilities.

Section 3 adds a new title to the Public Health Service Act (42 U.S.C. chapter 6(A)); namely, "Title VIII—Grants and Loans for Modernization or Replacement of Hospitals and Nursing Homes" with 13 sections, as follows:

- 801. Declaration of purpose
- 802. Definitions
- 803. Authorization of payments
- 804. Authorization of grant funds
- 805. Authorization of loan funds
- 806. General regulations
- 807. State plans
- 808. Allotments to States of grant-loan funds
- 809. Application for and approval of payments
- 810. Payments
- 811. Withholding of funds
- 812. Administration; general provisions
- 813. Assistance in area planning

Section 801 of the new title contains a statement of the declaration of purpose.

Section 802 of the new title contains the definitions of the terms as used in the title.

Subsection (a) "Hospitals": General, mental, chronic disease, and other types of hospitals, and related facilities, such as laboratories, outpatient departments, nurses' homes and training facilities, and central service facilities operated in connection with hospitals, does not include any hospital furnishing primarily domiciliary care.

Subsection (b) "Nursing homes": Facility for accommodation of convalescents or other persons who are not acutely ill and not in need of hospital care, but who require skilled nursing care and related medical services (1) operated in connection with a hospital, or (2) in which nursing care and medical services are prescribed by, or performed under the general direction of, persons licensed to practice medicine or surgery, in the State.

Subsection (c) "public": Owned and operated by a political subdivision of a State or by an instrumentality of such a political subdivision, or by a State university or medical school or by a State (in the case of general hospitals only).

Subsection (d) "nonprofit": Owned and operated by one or more nonprofit corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual.

Subsection (e) "modernization": Major repair (as defined in regulations), renovation, or remodeling of an existing structure, including equipment incident thereto—not including any expansion of the structure which increases bed capacity by more than 5 percent.

Subsection (f) "replacement": Means construction as defined in section 631(h) of the Public Health Service Act of a facility to serve the same needs as a facility which has been or will be closed. It is limited, however, to construction which provides bed



capacity of up to 105 percent of the capacity of the closed facility. Section 631(h) of the Public Health Service Act defines the term "construction" to include construction of new buildings, expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings including architects' fees. It excludes the cost of off-site improvements and except for public health centers the cost of acquisition of land. The criteria for determining whether the proposed facility will serve the same needs as the closed facility or the facility to be closed will be determined by regulations authority for the issuance of which is set forth in section 806(4) of this bill. Such criteria are to take into account the population to be served and the character of the services which will be provided.

Subsection (g) "State" is defined to include Puerto Rico, Guam, the Virgin Islands and the District of Columbia.

Subsection (h) "State agency" is defined to mean the single agency designated by the State in its State plan as the sole agency for the administration of the plan, or the agency designated as the sole agency for supervising the administration of the State plan.

Subsection (i): The "cost of construction" is defined to mean the amount found by the Surgeon General to be necessary for the construction of a project.

The term "title" when used with reference to a site means a fee simple, or such other estate or interest (including a leasehold on which the rental does not exceed 4 percent of the value of the land) as the Surgeon General finds sufficient to assure for a period of not less than 50 years undisturbed use and possession for the purposes of construction and operation of the project.

Subsection (j): The "Federal Hospital Council" is defined to mean the existing Federal Hospital Council consisting of the Surgeon General as Chairman and eight members. Four are to be knowledgeable in the operation of hospitals and the other four are to represent the consumers of hospital services and knowledgeable of the need for hospital services in urban or rural areas. The tenure of appointment expires two at the end of the first year, two at the end of the second year, two at the end of the third year, and two at the end of the fourth year. Appointments are limited to two continuous terms and the rate of compensation is not to exceed \$25 per diem plus expenses while serving away from home. Meetings are to be called as the Surgeon General deems necessary but at least annually. The Surgeon General is required to call meetings at the request of three or more members.

Section 803 sets forth the authorization of payments. Any payment may include or consist of a grant from appropriated funds up to half the cost of construction for modernization or replacement project and may include or consist of a loan for part of the cost or part of the remaining portion of the cost as may be requested by the applicant and determined by the Surgeon General to be necessary to effectuate the purpose of the legislation; but in no event shall a payment consisting of a loan or including a grant and a loan exceed 80 percent of the cost of the project. Thus a loan may vary from 0 to 80 percent of the cost, but if a maximum grant of 50 percent of cost is applied for the maximum loan available would be 30 percent of the cost.

Section 804 contains the authorization of grant funds. The authorization of grant funds contains an effective date commencing with the fiscal year beginning July 1, 1963, and for each fiscal year thereafter.

Section 805 contains the authorization of loan funds. Under subsection (a) the Surgeon General on or after July 1, 1963, is permitted to issue notes and obligations, not exceeding \$\_\_\_\_\_ for purchase by the

Secretary of the Treasury in order to obtain funds for loans.

Section 805(b) prescribes that the notes or other obligations issued by the Surgeon General shall be in the forms and denominations, have the maturities and be subject to such terms and conditions as the Surgeon General may deem appropriate, with the approval of the Secretary of the Treasury. The interest rate is to be determined by the Secretary of the Treasury, but may not be less than the average annual interest rate on all interest-bearing obligations of the United States which form a part of the public debt as computed at the end of the fiscal year immediately prior to issuance and adjusted to the nearest one-eighth of 1 percent. Authorization is granted to the Secretary of the Treasury to purchase any obligations issued under this section and to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act and the purposes for which securities may be issued under that act are extended to include the purchase of notes or obligations issued under this section. The Secretary of the Treasury may sell notes or obligations acquired under this section. Transactions of the Secretary of the Treasury under this section are to be treated as public debt transactions of the United States.

Subsection (c) of section 805 of the new title contains the authorization for appropriation to the Surgeon General of the necessary funds for payments on the notes or obligations issued by him plus loan principal and interest payments. Principal and interest payments where not necessary for payments on notes or other obligations are made available for loans.

Section 806 of the new title provides for the issuance by the Surgeon General, after consultation with the Federal Hospital Council and with the approval of the Secretary, of certain regulations. Specifically, the regulations are to prescribe—

1. The method of allotment among the States' grant and loan funds on the basis of population and other pertinent factors so as to reflect the relative need for modernization and replacement funds.

2. The terms and conditions applicable to any funds loaned.

3. The general manner in which the State agency shall determine the priority of projects based on relative degrees of obsolescence and the relative need for the services provided.

4. The criteria for determining whether a proposed facility is designed to serve the same needs as the closed facility or the facility proposed to be closed.

5. Supplementation for application to replacement projects, and revision of application to modernization projects of regulations issued under the Hill-Burton Act relating to standards for construction and equipment.

6. Supplementation and modification of regulations relating to nondiscrimination and to services for indigent persons, except that the provision of the Hill-Burton Act stating that "an exception shall be made in cases where separate hospital facilities are provided for separate population groups, if the plan makes equitable provision on the basis of need for facilities and services of like quality for each group," shall not apply to projects under this title.

Section 807 deals with the modification of existing State plans relating to hospital construction under the Public Health Service Act or the construction of nursing homes. Such State plan must meet the requirements of the Hill-Burton Act as to administration. The plan must set forth a program of modernization and replacement of hospitals or of hospitals and nursing homes. The program is to be based on a statewide survey of need and take into consideration any area-

wide program developed in an area within the State. It must also meet the requirements as to lack of discrimination on account of race, creed, or color, and for furnishing necessary hospital facilities for persons unable to pay therefor. It must also provide that the State agency will periodically review its program and in any event when an areawide program has been developed and approved. At such time such modifications as the State agency deems necessary are to be submitted to the Surgeon General.

Section 808 provides for the allotments to States of grant and loan funds previously authorized. The Surgeon General is to notify each State agency of the amount of the State's allotment but no payment to the State is to be made until there is an approved State plan. Sums allotted to a State for a fiscal year remaining unobligated at the end of such year remain available for 1 additional year.

Section 809, subsection (a), provides for the application for payments under this title to the Surgeon General through the State agency by a public or other nonprofit agency. The section also provides for the filing of joint applications where two or more public or other nonprofit agencies are involved.

Subsection (b) of section 809 requires that the application must contain a description of the project, including a description of the site of the project; plans and specifications for the project which are to be in accordance with such regulations as may be issued; reasonable assurance that title to the site or any structure will be vested in one or more of the agencies filing the application, or in a public or other nonprofit agency which is to operate the facility; the amount, if any, requested as a loan; reasonable assurance that any additional financial support necessary will be available and that adequate financial support will be available for maintenance and operation of the facility when completed, and for payment of interest and replacement of principal of any portion of the payment loaned, in accordance with the terms of the loan; reasonable assurance that the operation will be in compliance with applicable State standards for operation and maintenance and with regulations issued to implement the act relating to nondiscrimination and to services to persons unable to pay; the estimated cost of the project; assurance that no grant has been made for the same project under title VI (pertaining to the construction of hospitals) and that no application for such a grant is pending; that where the project is one of replacement satisfactory evidence shall be submitted in accordance with the regulations that the facility to be constructed is designed primarily to service the same needs as the facility to be closed; and reasonable assurance of compliance with the prevailing wages and overtime features of the Davis-Bacon Act.

Subsection (c) of section 809 sets forth that the application shall be accompanied by a recommendation of approval by the State agency based on findings that the project meets the requirements of subsection (b); that the estimated cost is reasonable; a certificate by the applicant is in accordance with the approved State plan; that funds for the project are available from the State's allotments; and that the project is entitled to priority over other projects within the State in accordance with the regulations issued under the act.

Subsection (d) provides for the approval of an application by the Surgeon General if he (A) finds reasonable assurance of title, financial support, and payment of prevailing wage rates; (B) finds conformance with the State plan and assurance of compliance with the nondiscrimination regulations; and (C) concurs in the findings and certification by the State agency. It further provides for

a hearing by the Surgeon General to the State agency in the event of disagreement with the findings or certification by the State agency.

Subsection (e) sets forth that amendments to an approved application are subject to approval in the same manner as the original application.

Section 810(a) of the new title provides for payment to the applicant after an application has been approved. It further provides that in cases of loans the payment shall bear interest at a rate of not less than the rate arrived at by adding one-quarter of 1 percent per annum to the rate which the Secretary of the Treasury determines to be equal to the average annual interest rate on all interest-bearing obligations of the United States which then form a part of the public debt as computed at the end of the fiscal year prior to the date the application was approved and adjusting the result to the nearest one-eighth of 1 percent. It further provides that subject to the regulations the loan shall be secured in such manner (if any) and repaid in such installments and within such period, not to exceed 40 years as the Surgeon General determines. The amount and terms of the loan may be modified upon approval of an amendment to the application.

Section 810(b) provides in the case of grants for payment to the applicant in installments, upon certification by the State agency, based upon its inspection that the work has been performed, or purchases made, in accordance with the approved plans and specifications. Advance payments of loans are permitted. If the Surgeon General has ground to believe that a default has occurred requiring the withholding of funds after giving notice of hearing he may withhold further advances pending action based on the hearing.

Section 810(c) provides that if prior to the repayment in full of any loan payment for a project it either is (1) sold or transferred to any person, agency, or organization which is not qualified to file an application or which is not approved as a transferee by the State agency, or (2) ceases to be a nonprofit facility, then the unpaid balance of the loan shall become immediately due and payable. Any transferee of the facility shall also be liable to the United States for such repayment to the same extent as the original borrower. Grants are made subject to the same recovery provisions applicable in the Hill-Burton Act.

Section 811(a) of the new title provides for the withholding of funds by the Surgeon General in certain instances after notice and opportunity for hearing to the State agency. These instances are where there has been a finding of failure to substantially comply by the State agency; or where there has been a diversion of funds from the purposes for which they were advanced; or that any assurance in the application is not being carried out; or substantial failure to carry out plans and specifications; or that adequate State funds are not being provided annually for the administration of the State plan.

Section 811(b) of the new title provides for judicial review of action by the Surgeon General.

Section 812 sets forth the general administrative provisions as are necessary to effectuate the purpose of title VIII. These include consultation by the Surgeon General with the Federal Hospital Council; provide for an annual audit by the General Accounting Office; give the Surgeon General the right to sue and be sued, foreclose, enter into agreements to pay annual sums in lieu of taxes to any State or local taxing authority, sell or exchange at public or private sale, or lease, real or personal property, sell or exchange any securities or obligations or obtain insurance against loss. Federal supervision or control over the administra-

tion, personnel, maintenance, or operation of any hospital or nursing home coming under this title is prohibited.

Section 813(a) of the new title authorizes the Surgeon General to make grants-in-aid to States, political subdivisions, universities, hospitals, and other public or private nonprofit institutions or organizations to assist in developing and publicizing comprehensive regional, metropolitan, or local area plans for coordination of hospitals, nursing homes, and other health facilities.

Subsection (b) authorizes \$----- to be appropriated each fiscal year to carry out the purpose of the section.

Section 4 of the bill contains technical amendments.

Subsection (a) includes the new title VIII added by the bill within the short title of the Public Health Service Act.

Subsection (b) amends section 675(a) of the Public Health Service Act by adding a sentence prohibiting the approval of an application under title VI (Hill-Burton) for the same project for which a payment has been made under the new title VIII or for which an application for such payment is pending.

Subsection (c) amends section 632(b)(3) of the Public Health Service Act by substituting the current section of law (28 U.S.C. 1254) which authorizes the Supreme Court to review decisions of U.S. courts of appeals upon certiorari or certification in place of references to sections of the former Judicial Code that have been repealed.

Subsection (d) amends the act of July 1, 1944 (under which the Public Health Service Act was originally enacted), by renumbering the title and section numbers of its temporary and emergency provisions and amendments and repeals. These provisions are presently in title VIII of such act and would be placed in title IX to allow the new title added by the bill to be placed in title VIII.

#### ADMINISTRATIVE PROCEDURE REFORM

Mr. DIRKSEN. Mr. President, I introduce, for appropriate reference, a bill to amend the Administrative Procedure Act and ask that it be referred to the proper committee.

For 3 years now, the Subcommittee on Administrative Practice and Procedure, of which I am a member, has been conducting a detailed study of the troublesome areas and problems in administrative procedure. It has held a number of hearings and has received and considered many proposals for reform. These proposals, themselves, have been the product of many years of study.

Since the Administrative Procedure Act became law in 1946, there have been recommendations for procedural reform made by the Hoover Commission, by the Conference on Administrative Procedure called by President Eisenhower, and by the Administrative Conference of the United States called by President Kennedy, as well as many very thoughtful and detailed proposals by the American Bar Association and other bar associations, by the administrative agencies themselves, and by the executive branch.

These proposals run a vast gamut in their attempt to solve the problems which all but those with special interests admit exist in administrative proceedings. On the one hand there are proposals to give the agencies more authority and more discretion and on the other hand there are proposals which would require the agencies to act so as

to give greater certainty and "forecastability" to their actions and provide equality of treatment between the Government and private citizens, more fairness, as some put it. We in the Congress have the task of reconciling these rather dissimilar approaches to what must be done to achieve administrative reform. It is our particular responsibility because we created the administrative agencies which include not only the Big Six regulatory agencies, but all the myriad of administrative agencies within and without the executive branch.

We may not often give it much thought, but these agencies, taken together, constitute the major part of our Government. Their functions range from milk price orders to the award of airline routes and radio station licenses. They include such varied problems as labor relations and business practices. Excluding foreign affairs, the Military Establishment and the courts, the administrative agencies deal directly with the day-to-day relationship of the individual to his Government. It is, therefore, most important that their procedures to do such a vast job be fair and adequate.

A decade ago Mr. Justice Jackson said:

The rise of administrative bodies probably has been the most significant legal trend of the last century and perhaps more values today are affected by their decisions than of those of all the courts.

Today there are dozens of administrative agencies in our Government. Not even the experts can agree on the total number. They process thousands and thousands of cases each year. One commissioner testified last year that he had made 18,000 decisions in the last 5 years and another said he had to make a decision every 5 minutes of each workday, but these are only two men, occupying positions at the top of large agencies. They are the visible part of the administrative agency iceberg. Think of the thousands upon thousands of decisions made by others in these agencies and in all the other agencies.

Twenty years ago, the Attorney General's Committee on Administrative Procedure reported that—

Taken together, the various Federal administrative agencies have the responsibility for making good to the people of the country a major part of the gains of 150 years of democratic government.

This year Judge Friendly urged administrative reform "if administrative adjudication is to be made consistent with the democratic process." Indeed, if we ever have a revolution in this country, it may well be because the people have rebelled against the manner in which administrative decisions are made.

We must always bear in mind that the administrative agencies are called the headless fourth branch of Government. They are not provided for in our great Constitution which established as the will of the people the three primary branches of our Government—legislative, executive, and judicial—each operating as a check upon the other. This



headless fourth branch of Government, this multitude of administrative agencies, has been engrafted upon our form of government, and to a large degree has engulfed it. The agencies exercise functions which would otherwise be exercised by the Congress, the Executive and the courts. How they exercise these functions is, therefore, of the greatest importance to all of us.

It has often been said that the need for reform in administrative procedures has been studied to death. The need for administrative reform and the importance of such reform are without question. There remains only the decision of what should be done. With all that has been said about the administrative agencies of this great Government of ours, with their vast powers which affect the lives of all 180 million of us, the problems are self-evident. There is no denying their existence. They are facts.

The first of these problems is that the members of an agency can no longer, even in theory, be required to devote their personal attention to every case. In practice they do not; in some agencies it would be physically impossible. The workload is too great. We must, therefore, authorize a division of the work. But in doing so, we must make it a meaningful division of work. We must be practical and we must be certain that responsibility is not separated from duty. The lines of duty and responsibility must be clear.

Let us begin with the members of an administrative agency. They are responsible for the policies and the personnel of the agency. They are responsible for seeing that the agency's job is done and done properly. This is as it should be. These are the overall matters of agency activity and administration. Agency members should not be relieved of these duties and responsibilities. But they can and should be relieved of the responsibility and duty of deciding every case.

In the past the proposals for relieving the agency members of the duty of deciding individual cases have been of two general types. One type would remove from the agency the function of deciding individual cases and give that function to some sort of an administrative court. The other type of proposal would give to the agency members the authority to delegate any of their functions to any other agency employee. Each of these approaches has its merits and its disadvantages, but I do not believe that either will accomplish the desired result—an effective administrative procedure. I proposed a different approach in my individual views in the annual report of the subcommittee, filed in April of last year. This bill embodies that approach, with many refinements.

The "administrative agency" was created by the Congress specifically to combine in one overall body the functions of making policy and deciding cases within the broad guidelines laid down by the Congress. I do not think that the solution to the problem of workload at this time requires abandoning this concept. Nor do I think that delegation of duties is the panacea for this difficult

problem. So long as the duty to decide every case remains, the problem remains. The extra hands provided by delegation, being unseen, became horrible specters, complicating and confusing the proper responsibilities. Therefore, I take the approach in this bill that agency members should be relieved by law from the responsibility for the decision in each individual case, but given the express duty to review such decisions under an appropriate procedure if there is an allegation that error has been made in the decision.

I believe that this will preserve the advantages to be found in the present concept of the administrative agency, with its combination of functions, and at the same time allay the fears that decisions are made "on the dark side of the moon" by unknown subordinates to whom the decision making function has been delegated. It will also greatly reduce the workload of the agency members by limiting to questions of error their duty with respect to individual cases. But, and I emphasize this, it will give any member of the public who feels that he has been adversely affected by error in a decision the right to have the agency consider his argument. I have strongly opposed the proposals which would take away this right of the citizen and I do not believe those who say the only way to reduce the workload and the backlog of the agency members is to take away this right of the public.

I might say that this approach to reducing agency workloads which I first proposed in S. 3795 in the 86th Congress met with the approval of my good colleague, the Senator from Colorado, on the other side of the aisle and forms the backbone of S. 1734 which he introduced in this Congress. Though there have been attempts to weaken and diffuse this approach, I was gratified to note that the Administrative Conference of the United States at its meeting in April of this year rejected such attempts and approved a recommendation to the President adopting the principle of these bills. Thus, the Senator from Colorado and I are together in our approach to this problem.

The second self-evident problem—at least it should be self-evident—is that agencies do not function properly or well in the public interest if they do not formulate their policies and announce them for all the world to know. I have said it is self-evident that agencies should do this, but as Judge Friendly has pointed out in a series of three articles just published in the Harvard Law Review, it has been self-evident to everybody but some of the agencies. While Judge Friendly is a disinterested analyst, he is not uninformed on the problem. He is now a judge of the U.S. Court of Appeals and, as such, he participates in the judicial review of administrative decisions. Prior to becoming a judge he was a distinguished lawyer known for his particular competence in administrative law matters. Thus, as a lawyer and participant he has seen what goes on in administrative proceedings and as a judge he has reviewed what has come out of such proceedings.

With that background, he began this fine series of articles in the following manner:

The thesis presented is this: A prime source of justified dissatisfaction with the type of Federal administrative action which I will shortly specify is the failure to develop standards sufficiently definite that decisions will be fairly predictable and the reasons for them will be understood; this failure can and must be remedied.

He defined the area of Federal administrative action with which he was dealing as "those instances where Congress has adopted a general standard which a commission or board is to apply."

It is no doubt true, as Judge Friendly says, that we in the Congress have contributed to the difficulties of some agencies by not establishing sufficiently specific legislative policies, and we should continue to review that problem. But Judge Friendly and other critics of what may be called the administrative muddle have not found this sufficient to excuse the agencies from making an adequate effort to develop standards. At one point in his articles Judge Friendly commented:

I do suggest that after three-quarters of a century of regulatory experience in the railroad field and of several decades in others, many patterns have recurred with sufficient frequency that it ought to be possible to articulate basis of administrative determination more specific than we have generally had.

And relating the need for standards to the practice of delegation he said:

Indeed, I would emphasize the point as to delegation even further. In these large agencies a considerable amount of delegation is inevitable; definition of standards is required if the agency members are to be the masters of the staff rather than the slaves of anonymous Neros, each fiddling his own tune.

Mr. Justice Douglas, a man of wide administrative experience before he went on the bench, urged the need for standards to limit discretion when he said:

Law has reached its finest moments when it has freed man from the unlimited discretion of some ruler, some civil or military official, some bureaucrat. Where discretion is absolute, man has always suffered.

We in the Congress, as we deal with the problems which people bring us, know that their greatest difficulty is in determining what guidelines an administrative agency is using in making its decision. Often it appears that there are no guidelines and that the discretion of the anonymous Neros is absolute.

It is not an easy matter to establish guidelines, however, and perhaps that is why it is not done. Here again, Congress may have to share the blame because it put restraints on the manner in which an agency could formulate standards instead of putting restraints on unbridled discretion in the decision of particular matters. I believe most people would agree that the inclusion of particular matters in the present definition of "rulemaking" has inhibited agency policymaking. This bill, therefore, redefines agency rulemaking, defines policymaking and gives the agencies the

discretion they need in making rules and policies. On the other hand, it requires that these rules and policies be equally and fairly applied in all particular matters unless, in an exceptional case, the policy is not appropriate under the circumstances. The bill also puts a bit more teeth in the provision of the Administrative Procedure Act which requires agencies to publish, or make available to the public, information as to their organization, procedures, rules and policies.

In the area of adjudication, the bill adopts the proposal of the American Bar Association for improvement in the adjudication process by the institution of an informal adjudication proceeding for use in appropriate matters, but the bill does not extend the application of the act to matters beyond the present scope of the act as does the American Bar Association proposal.

However, the bill recognizes that the informal procedure may be useful in many matters in which only formal proceedings are now available, and, therefore, it permits use of informal procedures upon the request of any private party, in the discretion of the agency, where the agency does not so provide by rule. It is my belief that such a provision may be of substantial value in eliminating the logjam which has developed in many agencies in the disposition of matters. I want to call particular attention to the fact that if the informal procedure is used it will not be necessary to repeat the ground already covered in any formal proceeding which may follow.

In the bill I also provide what I have often urged before, that agency members must have longer terms if they are to function effectively. My colleague, the Senator from Colorado, has also urged this. Agency members should be men of stature. Such a position should be the pinnacle of a career rather than a stepping stone to a position in a company or a law firm. I believe that we will solve many of the problems which have harassed administrative proceedings if we provide an adequate tenure of position for such men.

Lastly, I am a believer in keeping things under observation, and, therefore, I have proposed the creation of a continuing administrative practice commission in place of the intermittent executive attempts to seek solutions to the troublesome areas of administrative procedure. Again, I believe, my colleague from Colorado is in favor of a permanent administrative practice commission. However, such a commission, to be effective, should not be composed of a preponderance of representatives from the agencies and I, therefore, have provided that the general public should have at least as great a representation as the agencies.

In recognition of the fact that judges such as Judge Prettyman have already made such a valuable contribution to administrative reform by their service on similar but temporary bodies, and that other judges have added much to our knowledge in this field by their articles, speeches, and statements, I have provided that the Commission shall have the benefit of their great knowledge and ex-

perience. I have also provided for congressional participation on the Commission. The administrative agencies are the children of the Congress. We cannot shirk our responsibility for the proper operation of the agencies. The opportunity to participate in the consideration of the needs and problems of administrative agencies which will be given by such a commission will be of great value to us just as we find our participation in international matters as members of U.S. delegations of assistance in our consideration in Congress of matters relating to foreign affairs.

I have spoken only of some of the highlights in this bill. It is the result of long and careful study of the problems which exist and the various proposals which have been made in this field. I wish to express my deep appreciation to all those who have reviewed the various drafts through which the bill has passed and made invaluable comments and suggestions for its improvement. I wish, too, to commend the American Bar Association and the other bar associations who have labored so long and done so much good work in this field and made that work available to me. Finally, I want to express my appreciation to the other members of the subcommittee and the chairman, the Senator from Colorado, who has given much consideration to these problems of administrative procedure and who has in the past taken the same approach which I have taken to a solution of those problems which are dealt with in this bill. All of us know that the problems of the people in dealing with their Government are the same whether they live in Illinois or in Colorado, or in any other State. The people look to us for assurance of fair and effective administrative proceedings and they will praise the efforts of those who join in such an undertaking.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3410) to amend the Administrative Procedure Act, and for other purposes, introduced by Mr. DIRKSEN (for himself and Mr. CARROLL), was received, read twice by its title, and referred to the Committee on the Judiciary.

#### EXTENSION OF THE TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION PROGRAM

Mr. McCARTHY. Mr. President, I introduce, for appropriate reference, a bill to extend the Temporary Extended Unemployment Compensation Act of 1961 for an additional year. This is the bill recommended by President Kennedy in his letter to the Congress on April 10, 1962.

I ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks, along with the letter from President Kennedy and an analysis of the provisions of the bill prepared by the Department of Labor.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit 1.)

Mr. McCARTHY. Mr. President, I also ask unanimous consent that the bill

remain at the desk until after the close of Senate business on Wednesday, June 20, in order that Senators who wish to cosponsor the measure may have an opportunity to do so.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. McCARTHY. Mr. President, when the economy recovered following the last recession, unemployment continued at an abnormally high rate. Despite increased business activity and the enactment of several measures, such as the Area Redevelopment Act, the rate of unemployment has remained high. This represents a waste of the manpower of the Nation, but apart from its economic effects on production and purchasing power, it constitutes a most serious human problem. It means suffering for millions of workers and their families.

A variety of measures are required to decrease the rate of unemployment, and these efforts must involve private measures as well as Government action.

The difficulty of a solution to this persistent problem is no excuse for not taking action to help alleviate the suffering of the unemployed.

In my judgment one of the most serious responsibilities facing the Congress is that of raising the standards of the unemployment insurance system. It is the only program of the Social Security Act which has not undergone major adjustments in the light of a quarter century of experience.

Because the unemployment compensation system has not been adequately revised to meet the different conditions which have characterized the postwar economy, we have had to pass two temporary measures—one in 1958 and another in early 1961—to prevent the breakdown of the unemployment insurance systems in several States and to reduce the hardships of the unemployed. There is a need for permanent legislation to enlarge the coverage, to increase the duration of benefits and to adjust the minimum level of benefits, as well as to provide a realistic basis for financing the system and to provide some degree of Federal responsibility for meeting what is a national problem.

Last session I introduced a bill, S. 2084, to provide for the establishment of national standards and to improve the method of financing the unemployment compensation systems. It now appears that action at this session for a major revision of the system is unlikely. In order to provide some protection for the unemployed for the next year, until the committees can work on permanent legislation, I am introducing a bill to provide a 1-year extension of the Temporary Extended Unemployment Compensation Act of 1961.

Eligibility under the temporary act of last year expired on April 1, 1962, and workers who have become unemployed after that date are not eligible for supplemental benefits. Those who qualified for benefits before April 1 can continue to draw supplemental benefits until June 30 and then the payments cease—but the problems of the unemployed do not end.

Fortunately, the rate of unemployment is down somewhat over last year when



the temporary act was passed, but the problem is still serious. The number of unemployed was 3,900,000 in April. The seasonally adjusted rate of unemployment was 5.5 percent in April, below the 6.9 percent of the year previously, but not significantly lower than the rate in February of this year.

The special problem of the long-term unemployed is particularly serious. The number who have been out of work for 15 weeks or longer was 1.5 million in April, about the same number as in March and February. The group in most difficulty, those unemployed 27 weeks or more, has remained at about 700,000 for several months.

In April 163,000 workers exhausted their benefit rights under State unemployment compensation systems and the estimate is that another 135,000 will exhaust regular benefits in May. Thus, even though the broad unemployment picture is somewhat improved over last year, the long-term unemployed still need assistance.

The temporary program of last year was not as costly as was anticipated. In his letter on April 10 President Kennedy stated that \$184 million will be available from the special tax on the 1962 and 1963 payrolls as provided by the bill last year.

In order to finance the program for an additional year, as provided by the bill I am introducing, it will be necessary to increase the rate of the Federal unemployment tax by only 0.1 percent for the year 1964.

The immediate purpose of this bill is to assist the long term unemployed. It maintains the eligibility of unemployed workers for supplemental benefits up to an additional 13 weeks of supplemental benefits after they have exhausted their benefit rights under a State program. It is an emergency measure, to meet the needs of the long-term unemployment until the next Congress when, I believe, we should enact permanent legislation to improve the unemployment compensation system.

The Bureau of Employment Security classifies 150 major production and employment centers and a number of smaller areas according to the rate of unemployment. Areas of "substantial unemployment" are those in categories D, 6 percent to 8.9 percent unemployment; E, 9 percent to 11.9 percent; and F, 12 percent or greater. I ask unanimous consent that the listing of areas of substantial unemployment, as recorded in "Area Labor Market Trends," May 1962, be printed in the RECORD.

There being no objection, the listing was ordered to be printed in the RECORD, as follows:

#### AREAS OF SUBSTANTIAL UNEMPLOYMENT, MAY 1962

##### MAJOR AREAS

Alabama: Birmingham.  
California: Fresno, San Bernardino-Riverside-Ontario, San Diego, Stockton.  
Connecticut: Bridgeport, New Britain, Waterbury.  
Florida: Miami.  
Indiana: Evansville, South Bend, Terre Haute.  
Louisiana: New Orleans.

Massachusetts: Brockton, Fall River, Lawrence-Haverhill, Lowell, New Bedford, Springfield-Chicopee-Holyoke.

Michigan: Battle Creek, Detroit, Muskegon-Muskegon Heights.

Minnesota: Duluth-Superior.

Missouri: Kansas City.

New Jersey: Atlantic City, Jersey City, Newark, New Brunswick-Perth Amboy, Trenton.

New York: Buffalo, Utica-Rome.

North Carolina: Durham.

Ohio: Canton, Hamilton-Middletown, Lorain-Elyria, Toledo, Youngstown-Warren.

Pennsylvania: Altoona, Erie, Johnstown, Philadelphia, Pittsburgh, Scranton, Wilkes-Barre-Hazleton.

Puerto Rico: Mayaguez, Ponce, San Juan.

Rhode Island: Providence-Pawtucket.

Tennessee: Chattanooga.

Texas: Beaumont-Port Arthur.

Washington: Spokane.

West Virginia: Charleston, Huntington-Ashland, Wheeling.

##### SMALLER AREAS<sup>1</sup>

Alabama: Anniston, Gadsden, Jasper, Selma, Talladega.

Alaska: Anchorage.

Arkansas: Camden.

California: Eureka, Modesto, Oxnard, Redding, Ukiah.

Colorado: Pueblo.

Connecticut: Ansonia, Bristol, Danielson, Meriden, Middletown, Norwich, Torrington, Willimantic.

Delaware: Dover.

Florida: Daytona Beach, Fort Lauderdale-Hollywood.

Georgia: Carrollton, Cedartown-Rockmart, Toccoa, Waycross.

Illinois: Canton, Centralia, Danville, Decatur, Galesburg, Harrisburg-West Frankfort-Herrin, Kankakee, La Salle, Mattoon.

Indiana: Connersville, Michigan City-La Porte, Muncie, New Castle, Vincennes.

Kansas: Coffeyville-Independence-Parsons, Pittsburg.

Kentucky: Danville, Elizabethtown, Hopkinsville, Madisonville, Owensboro, Paducah, Pikeville, Richmond.

Louisiana: Alexandria, Hammond, Lake Charles, Monroe, Opelousas.

Maine: Biddeford-Sanford, Lewiston-Auburn.

Maryland: Cambridge, Cumberland, Hagerstown.

Massachusetts: Milford, Newburyport, North Adams.

Michigan: Adrian, Bay City, Benton Harbor, Holland-Grand Haven, Iron Mountain, Jackson, Marquette, Monroe, Mount Pleasant, Port Huron, Traverse City.

Minnesota: Brainerd, Grand Rapids, Hibbing-Virginia.

Mississippi: Biloxi-Gulfport, Greenville, Laurel, Pascagoula, Tupelo.

Missouri: Cape Girardeau, Jefferson City, Washington.

Montana: Butte.

New Jersey: Bridgeton, Lakewood-Toms River, Long Branch, Newton, Ocean City-Wildwood-Cape May.

New York: Amsterdam, Auburn, Batavia, Elmira, Geneva, Glens Falls-Hudson Falls, Gloversville, Jamestown-Dunkirk, Newburgh-Middletown-Beacon, Ogdensburg-Massena-Malone, Olean-Salamanca, Oneonta, Plattsburgh, Watertown, Wellsville.

North Carolina: Elizabeth City, Fayetteville, Forest City-Rutherfordton, Greenville, Henderson-Oxford, Hendersonville, Lumberton, Mount Airy, North Wilkesboro, Roanoke Rapids, Rockingham-Hamlet, Rocky Mount, Waynesville, Wilson.

<sup>1</sup> These areas are not part of the regular area labor market reporting and area classification program of the Bureau of Employment Security and its affiliated State employment security agencies.

Ohio: Ashtabula-Conneaut, Athens, Batavia-Georgetown, Cambridge, East Liverpool-Salem, Fremont, Kent-Ravenna, Mount Vernon, New Philadelphia-Dover, Portsmouth, Sandusky, Zanesville.

Oklahoma: McAlester, Muskogee, Okmulgee-Henryetta, Shawnee.

Oregon: Albany, Klamath Falls, Medford, North Bend-Coos Bay, Pendleton, Roseburg.

Pennsylvania: Berwick-Bloomsburg, Bradford, Butler, Clearfield-Du Bois, Gettysburg, Indiana, Kittanning-Ford City, Lewistown, Lock Haven, Meadville, New Castle, Oil City-Franklin-Titusville, Pottsville, St. Marys, Sayre-Athens-Towanda, Sharon-Farrell, Sunbury-Shamokin-Mount Carmel, Uniontown-Connellsville, Warren, Williamsport.

Puerto Rico: Aguadilla, Arecibo, Caguas, Carolina, Guayama, Manati, Yauco.

South Carolina: Conway.

Tennessee: Bristol-Johnson City-Kingsport, Cleveland, Greeneville, Harriman-Rockwood, Morristown.

Texas: Galveston-Texas City, Laredo, Texarkana.

Utah: Provo-Orem.

Virginia: Chincoteague, Covington-Clifton Forge.

Washington: Aberdeen, Anacortes, Bellingham, Centralia, Wenatchee, Yakima.

West Virginia: Beckley, Bluefield, Clarksburg, Fairmont, Logan-Madison, Martinsburg, Morgantown, New Martinsville, Oak Hill-Montgomery, Parkersburg, Ronceverte-White Sulphur Springs, Welch.

Wisconsin: La Crosse, Marinette-Menominee.

Mr. McCARTHY. Mr. President, I also ask unanimous consent to have printed an article entitled "The Jobless," which treats of the need for permanent legislation to revise the unemployment compensation system. It was written by Raymond Munts and it appeared in the March 1962 issue of the American Federationist.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### THE JOBLESS

(By Raymond Munts)

Scene: A local unemployment compensation office.

Time: April 1962.

JOBLESS WORKER. I just got my last benefit check. I want to apply for the Federal extended benefits.

INTERVIEWER. You can't apply because the extension was temporary and ended March 31.

WORKER. But I don't have a job yet.

INTERVIEWER. I'm sorry. There's nothing we can do.

This scene will be repeated over and over throughout the United States—some 33,000 times during the first week of April. And, before the month is over, 150,000 people still without job prospects will be cut off from unemployment compensation.

The second temporary Federal extension of unemployment compensation is about to come to an end, but the problems of hundreds of thousands of people continue. These are the people who cannot find a job within 5 or 6 months. They are the long-term unemployed for whom the American system of high productivity means automatic idleness and human obsolescence.

A Senator named Kennedy, back in 1958, foresaw the limitations of the temporary extensions and proposed a bill to overhaul the unemployment insurance system. Last June, as President, he urged Congress to adopt several permanent reforms.

The Kennedy proposals were put into a bill by Senator EUGENE J. McCARTHY, Democrat, of Minnesota, and Congressman CECIL R. KING, Democrat, of California. The McCarthy-King bill would cover 3 million more

workers, raise weekly benefits, provide them for a longer time, and improve the financing of the jobless pay system.

The AFL-CIO Executive Council endorses the measure as going "a long way toward meeting deficiencies in the system." Labor has urged permanent improvements in the Federal-State unemployment insurance system for many years. "Had this been done," said the council, "the temporary extensions would have been unnecessary and the severity of the last two recessions would have been greatly mitigated. Neither the wage earners of America nor the Nation's economy can afford another delay."

Only 15 to 20 percent of wages lost by the unemployed are reimbursed by regular unemployment insurance.<sup>1</sup> This is because of limitations in coverage, eligibility, and benefits. Clearly reform is overdue.

Pick any 10 unemployed persons. It will be found that three or four are excluded from any benefits because of where they worked or the operation of eligibility requirements. One or two have been out of work so long they have exhausted their benefit rights. The remaining five are drawing benefits which average about one-third of their wages. Two of these "lucky" five will probably use up all of their benefits before finding reemployment under current conditions.

On layoff, the same man doing the same job would fare differently depending on the State in which he worked. In one State the average payment will be \$22; in another \$40; top payments in some States are half those in others.

For all the variation, however, the weekly benefit amounts in all States have one thing in common. They insure a smaller portion of the workers' weekly wages than they did 25 years ago. In the original laws, a benefit of at least half one's weekly wage prevailed for all but the highest jobless wage earners. Only one State now applies this principle. Even the average wage earner has half his wage insured in only four States.

Benefits are allowed for up to a maximum of 6 to 39 weeks, depending on the State and on one's previous earnings. The average person qualifies for a maximum of 17 weeks in Virginia, 30 in Pennsylvania.

Workers go on relief only as a last resort, but the shortcomings in unemployment insurance caused relief expenditures to rise by 40 percent in a recession year like 1958.

Families of unemployed workers cannot stretch their jobless pay very far. A study shows that even with jobless payments their bills pile up (25 percent of unemployed families); they borrow money (22 percent); get help from relatives (21 percent); move to cheaper quarters (11 percent); or go on relief (4 percent).<sup>2</sup>

According to the U.S. Chamber of Commerce and the National Association of Manufacturers, weekly benefits are more adequate than formerly. They argue that average benefit payments have risen faster than the cost of living.

The facts are true, but the conclusion is not. Unemployment benefits were geared to wages for the purpose of underwriting the worker's standard of living, even as it changes with time. This is much different than cost of living, which if used as the measure would permanently tie the unemployed's family budget to 1930 living standards.

Instead of \$34 a week, the national average benefit payments would have to be \$43 to properly mirror changes in standards of living of the last 25 years.

<sup>1</sup> Richard A. Lester, "The Economic Significance of Unemployment Compensation 1948-59," Princeton University.

<sup>2</sup> Haber, Fauri, Cohen, "Significant Findings on the Impact of the 1957-58 Recession in Relation to Unemployment Insurance," University of Michigan.

Business circles further argue that jobless benefits were originally for 16 weeks and that the program was intended only for "temporary unemployment." However, "temporary unemployment" today lasts longer than 6 months for an increasing number of the jobless. Even with the 24 weeks maximum now allowed the average jobless pay applicant in the regular State program, 2.5 million exhausted their benefits in the last calendar year.

Better unemployment insurance is not the only answer, of course. The AFL-CIO has argued for economic policies that will bring gainful employment. Labor also has urged standby public works, retraining and relocation plans. And labor asks for renovation of unemployment insurance and improvement of public welfare. All of these fit together and play appropriate roles in a free economy.

George Orwell, perhaps the greatest student of unemployment and its human cost, once said: "It seems to me that economic injustice will stop the moment we want it to stop and no sooner, and if we genuinely want it to stop the method adopted hardly matters."

Orwell is right in a profound, almost utopian, sense. From a more practical viewpoint, there is another explanation for foot-dragging in the attack on unemployment. The jobless benefits program has become so cheap that there is little economic incentive for the business community to put Americans back to work.

Originally set at 3 percent of payrolls, the tax on employers now allows substantially reduced rates and is paid on only a fraction of payrolls. This explains why the effective rate over the last 10 years averages 1.16 percent of payrolls.

Although violently opposed to the higher benefits of the McCarthy-King bill, the chamber of commerce admits that unemployment taxes in a group of firms surveyed cost only 1 percent of payroll or 2.3 cents per payroll hour, which is one-tenth of employee benefits in those companies. It is also one-fourth of the average annual wage increase negotiated in recent years.

Opponents of the bill cite rising benefit payments rather than low taxes to explain declining State reserve funds. But benefit liberalization has not raised costs; the value of the program has remained stable as gains in duration of benefits are offset by reduced wage insurance and tighter qualifying requirements. The higher cost rates in recent years are directly proportional to the greater amount of unemployment.

States with short reserves today (there are 23 of them) were well on their way to trouble before the recession of 1958. After the long wartime accumulation of reserves, they went so far with low tax rates and underfinancing in their efforts to create a "favorable industrial climate" that they let reserves disappear. In most States since 1945, taxes in both good years and bad have been insufficient to pay for benefits or maintain reserve levels.

The Kennedy proposal would bolster the financing of the program. By setting benefit standards, the bill gives each State an objective for its financing and prevents sacrificing benefits on the altar of lower business taxes. While the bill does not abolish experience rating and low taxes, it blunts some of the extreme effects. It also raises the tax base.

Had it been in effect in 1960, the McCarthy-King bill would have raised benefit payments by one-fifth; the long run cost will be only a fraction of the 3 percent originally intended.

Abuses are cited by opponents of the bill, but they are usually vague charges. When the issues are explicit, reasonable people will differ on what constitutes "abuse" of the ground rules.

Originally, benefits were given to those unemployed involuntarily (i.e., for reasons beyond their control) if they were available and registered for suitable work. With the adoption of the "experience rating," employer tax rates have varied according to claims from employees. As a result, a different philosophy has colored disqualifications. It is now argued that benefits should be paid only where the worker's unemployment is due to an act of his employer. Instead of serving socioeconomic purposes, the benefits are to be regarded as the employer's gift.

Since there are many instances where neither the claimant nor his employer can be held responsible, a no-man's land of confusion has been generated. For example, if your doctor says you have to change your residence to Arizona, then according to the original view you should draw benefits while looking for a job in Arizona because the unemployment is involuntary. But the employer objects that he didn't cause the unemployment, that he pays the tax and that benefits should be denied.

For violating one of the increasingly complex ground rules, the unemployed worker might be penalized 4 weeks or more of benefits. But in 35 States now he will have his benefits canceled altogether, in some cases for the full duration of his unemployment.

Some employers contend that anybody who draws a pension should be automatically disqualified forever afterward. But what about compulsory "retirement"? What about cases where a man wants to work because he cannot live on a pension? What about instances where he has worked since "retirement" and proven his continuing attachment to the work force? In all these cases the worker does not retire from the work force. These are real problems and cannot be dismissed as "abuse."

Fear that short-term women employees, seasonal workers and rootless single people will gobble up benefits is cited in opposition to higher benefits of longer duration. But a U.S. Department of Labor study of those drawing the expiring temporary extensions shows that 3 out of 5 were men (about the same proportion as in the workforce); that two-thirds were the main or only wage-earners and that half were the heads of households.

Outright fraud is discouraged by unions although there are still instances where a local union has connived in a deception. One international union exposed some of these and cautioned its members that "nothing could be worse for the future of social security than for the idea to become general that stealing of this kind is less reprehensible than picking the pocket of one's neighbor." Where public officials know of such things and fail to act they should be dismissed summarily and it is the responsibility of company and union officials to see that this happens. Actually, the officials show considerable vigilance: 200,000 cases of fraud were penalized in a 3-year period.

The \$5.6 million overpayments to fraudulent claims represent one-fifth of 1 percent of benefit payments. This compares with income tax cheating, where 8 percent of all taxable income, 15 percent of dividend income and 58 percent of rental income is not reported. Only a small part of the tax loss is ever recovered, whereas two-thirds of the fraudulent jobless payments are later recouped: actual loss on fraud was one thirty-sixth of 1 percent of benefit payments.

More significant in amount than claims frauds is the \$40 million in overdue and defaulted employer tax contributions to unemployment compensation.

In 1937, commenting on unemployment in England, Orwell wrote " \* \* \* the middle classes were still talking about 'lazy idle loafers on the dole' and saying that 'these men could work if they wanted to' and na-



turally the opinions percolated to the working classes themselves."

The calculated purpose of such attacks is to make the unemployed feel guilty and ashamed of being unemployed. To attack the unemployed is one way of absolving yourself of any responsibility, especially if you've got a good job.

Attempts to discredit the jobless have the effect of decreasing legitimate claims and reducing the employers' tax rates the next year. About 30-40 percent of the jobless do not file claims within 7 days following layoff and, therefore, lose some benefits; some never apply.

"Loafers, quitters, schemers, system beaters, dole grabbers and parasites," wrote one well-known magazine 2 weeks before a congressional committee started a study of the jobless program. Most such attacks are carefully timed to discourage corrective legislation or to promote ripper bills.

What are the prospects for the McCarthy-King bill? Two years ago, 12 of the 25 members of the powerful Ways and Means Committee voted for benefit standards. Some influential conservatives in Congress are known to be dissatisfied with the temporary extensions and are open to some reasonable alternatives of a permanent nature.

Influential voices on the President's Advisory Committee on Labor-Management Policy have just declared: "the duration, coverage and amount of unemployment compensation, where inadequate, should be increased and made subject to realistic uniform minimum requirements under the Federal-State system." In addition to the labor and public members, this was subscribed to by Elliot Bell of McGraw-Hill; Joseph Block of Inland Steel; John Franklin of United States Lines; the late J. Spencer Love of Burlington Mills; Richard S. Reynolds, Jr., of the Reynolds Metal Co., and Thomas J. Watson, Jr., of International Business Machines.

Perhaps this range of opinion represents new awareness that unemployment insurance is an investment in people, in those people who need and want work.

**THE VICE PRESIDENT.** The bill will be received and appropriately referred.

The bill (S. 3411) to extend the temporary extended unemployment compensation program, to increase the rate of the Federal unemployment tax for taxable year 1964, and for other purposes, introduced by Mr. McCARTHY (for himself and Mr. HART), was received, read twice by its title, and referred to the Committee on Finance.

#### EXHIBIT 1 S. 3411

A bill to extend the temporary extended unemployment compensation program, to increase the rate of the Federal unemployment tax for taxable year 1964, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Section 6, paragraph (2) of the Temporary Extended Unemployment Compensation Act of 1961 (75 Stat. 8) is amended to read as follows:

"(2) ending—

"(A) on March 31, 1963, or

"(B) on June 30, 1963, in the case of an individual who (for a week beginning before April 1, 1963) had a week with respect to which temporary extended unemployment compensation was payable under section 3, reimbursement was payable under section 4, or reimbursement would have been so payable but for the fact that the unemployment compensation was payable under title XV."

Sec. 2. (a) The first sentence of section 905(b) of the Social Security Act is amended by deleting the word "and" between the

dates "1963" and "1964" in the parenthetical phrase, by substituting a comma therefor, by adding after the date "1964" the words "and 1965", and by inserting after the words "50 percent" the following: "(with respect to calendar years 1963 and 1964) and 20 percent (with respect to calendar year 1965)".

(b) Section 905(c) is amended by changing the date "December 31, 1963", wherever it appears, to "December 31, 1964", by changing the date "December 1, 1963" in subsection (c)(2)(A) to "December 1, 1964", by changing the dates "1961 and 1962" and "May 1, 1963" in subsection (c)(2)(B), wherever they appear, to "1962 and 1963", and "May 1, 1964", respectively; and

(c) Section 905(d) is amended by changing the date "December 31, 1964" therein to "December 31, 1965".

Sec. 3. (a) The last sentence of section 3301 of the Internal Revenue Code of 1954 (relating to the rate of the Federal unemployment tax) is amended to read as follows:

"In the case of wages paid during the calendar years 1962 and 1963, the rate of such tax shall be 3.5% in lieu of 3.1%; in the case of wages paid during the calendar year 1964, the rate of such tax shall be 3.2% in lieu of 3.1%."

(b) Section 3302(d)(1) of such Code (relating to credits against the tax) is amended by adding after the last word within the parenthesis a comma and the following words: "and in the case of the tax imposed with respect to calendar year 1964, in lieu of 3.2%."

Sec. 4. Notwithstanding any provision of the Temporary Extended Unemployment Compensation Act of 1961 or of State law, individuals who have exhausted their rights to unemployment compensation under State law or Title XV of the Social Security Act shall be eligible for compensation under this Act to the same extent as they would have been eligible for such compensation if this Act had been enacted on March 31, 1962.

#### TEXT OF A LETTER FROM THE PRESIDENT TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE, APRIL 10, 1962

DEAR MR. PRESIDENT: I am transmitting herewith, for the consideration of the Congress, a draft of the legislation which would extend the temporary extended unemployment compensation program until April 1, 1963.

The present program expired April 1, 1962. But there are still large numbers of long-term unemployed, and I believe that immediate action is required so that the benefits of the program can continue. In my letter of March 12 you will recall I expressed concern about the effect of the termination of the temporary program upon these workers. I therefore urged early consideration by the Congress of legislation which called for permanent improvement in the Federal-State unemployment insurance system. However, in view of the heavy schedule faced by the committees of the Congress before whom that legislation is pending, it seems unlikely that the legislation will be able to receive the consideration it deserves this year. Under these circumstances, provision should be made for continuation of the temporary program.

The temporary extended unemployment compensation program which expired April 1 did not cost as much as had been estimated. Accordingly, \$184 million will be available from the special taxes to be collected on 1962 and 1963 payrolls to help finance the extension I am proposing, and an increase of only 0.1 percent in the tax rate for 1964 is necessary to finance the remaining cost of the extended program.

The Secretary of Labor estimates that 1,500,000 long-term unemployed workers

throughout the Nation will be benefited by the new extension of the unemployment compensation program.

Sincerely,

JOHN F. KENNEDY.

#### STATEMENT IN EXPLANATION OF A DRAFT BILL TO EXTEND THE TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION PROGRAM, TO INCREASE THE RATE OF THE FEDERAL UNEMPLOYMENT TAX FOR TAXABLE YEAR 1964, AND FOR OTHER PURPOSES

This bill would amend section 6 of the Temporary Extended Unemployment Compensation Act of 1961 (75 Stat. 8), to extend the temporary extended unemployment compensation program for 12 months. Thus, instead of ending on March 31, 1962 (or on June 30, 1962, for those who had a week of unemployment before April 1, 1962, with respect to which temporary extended unemployment compensation or reimbursement was payable), the program would end on March 31, 1963 (or on June 30, 1963).

Section 2 of the bill would amend subsections (b), (c), and (d) of section 905 of the Social Security Act to make changes in the dates specified therein necessitated by the proposed extension of the program. A further amendment would be made to section 905(b) which relates to transfers to the Federal extended compensation account from the employment security administrative account of the proceeds of the additional Federal unemployment taxes levied by the Congress for the purpose of financing the extended program. The amendment would provide that transfers made by the Secretary of the Treasury from the Employment Security Administration account to the Federal extended compensation account at the close of each month in calendar year 1965 would be an amount determined by him to equal 20 percent of the net Federal tax paid in that year, instead of the 50 percent applicable to transfers in calendar years 1963 and 1964. This is because the additional tax of 0.1 percent for taxable year 1964 (payable in 1965) represents 20 percent of the net Federal tax of 0.5 percent for that year, while the additional tax of 0.4 percent for taxable years 1962 and 1963 (payable in 1963 and 1964) represents 50 percent of the net Federal tax of 0.8 percent for those years. Section 905(c) relates to the transfer to the accounts of the States in the unemployment trust fund any balance remaining in the Federal extended compensation account as of the date specified, and section 905(d) relates to the termination of the account.

Section 3(a) would amend section 3301 of the Internal Revenue Code of 1954 to increase for taxable year 1964 the rate of the Federal unemployment tax from 3.1 to 3.2 percent. Under the present law the rate for taxable years 1962 and 1963 is 3.5 percent and for taxable year 1964 it would have gone down to 3.1 percent. The additional 0.1 percent tax is necessary to help meet the costs of the extension of the temporary extended unemployment compensation program proposed by this bill. Section 3(b) would amend section 3302(d)(1) of the Internal Revenue Code of 1954 to provide that in the case of the tax imposed for calendar year 1964, the tax credit shall be computed at the rate of 3 percent in lieu of 3.2 percent.

An extension of the temporary program is necessary because the number of long-term unemployed continues to be high. Although the March unemployment figure showed a decrease of 160,000 from February, the number was still 4,382,000. The number of long-term unemployed—those who have been out of work for 15 weeks or longer—numbered 1.5 million, about the same as the month before. The number unemployed 27 weeks or longer was 700,000, about the same as in

February. Moreover, during April an estimated 150,000 workers will exhaust regular benefits, and during May an estimated 135,000 will exhaust regular benefits. In only one month during the proposed extension is it estimated that exhaustions will fall below 100,000.

The 12-month extension would be financed out of an anticipated surplus of the increased taxes for taxable years 1962 and 1963 over expenditures under the present act, and the 0.1 percent additional Federal tax proposed by this bill.

### EMANCIPATION PROCLAMATION CENTENNIAL DAY

Mr. MUNDT. Mr. President, on behalf of myself, the Senator from Illinois [Mr. DIRKSEN], and the Senators from Kentucky [Mr. COOPER and Mr. MORTON], I introduce a joint resolution which I shall read, so that it will appear at this point in the RECORD. The purpose of the joint resolution is to provide for the designation of September 22, 1962, as Emancipation Proclamation Centennial Day. The joint resolution reads as follows:

Whereas, on September 22, 1862, President Abraham Lincoln issued the first of two historic documents proclaiming freedom from slavery for nearly four million men, women, and children; and

Whereas the issuance of this proclamation irrevocably committed the Government of the United States to the cause of abolition of human slavery and endowed the struggle for the preservation of the Union with the attributes of a moral crusade in the interest of human freedom and the ideal of democracy; and

Whereas the creed upon which this proclamation was founded announced the dedication of the United States to "a struggle for maintaining in the world that form and substance of government whose leading object is to elevate the condition of men; to lift artificial weights from all shoulders; to clear the paths of laudable pursuit for all; to afford all an unfettered start and a fair chance in the race of life"; and

Whereas the issuance of this proclamation and the statement of these ideals are of continued significance in a world in which free civilizations are today being challenged by the enslaving forces of totalitarianism; and

Whereas it is fitting that special attention be accorded to the one-hundredth anniversary of that memorable event: Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the 22nd day of September, 1962, is hereby designated as "Emancipation Proclamation Centennial Day," and the President of the United States is authorized and requested to issue a proclamation inviting the people of the United States to observe and celebrate such day with appropriate ceremonies and activities.*

Mr. President, as a part of my remarks I ask unanimous consent to have printed in the RECORD at this point excerpts from a history book entitled "History of the United States of America," written by Henry William Elson, in which several pages are devoted to a discussion of the historic step by which the Emancipation Proclamation came to be designated.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

#### HISTORY OF THE UNITED STATES OF AMERICA (By Henry William Elson)

The Battle of Antietam not only drove Lee back to Virginia soil and ended his invasion which, with a simultaneous invasion of Kentucky by 40,000 Confederates under General Bragg, had caused great excitement in the North; it also enabled Lincoln to issue the most important proclamation ever issued by a President of the United States.

The war had been going on for a year and a half; it had cost 80,000 men and \$1 billion; but it was still, as in the beginning, a war for the Union. The real cause of the strife, slavery, was not yet seriously molested. But a beginning had been made. And after Antietam the matter took such shape that henceforth there could be no backward step. Emancipation, as well as the preservation of the Union, became the policy of the Government. From the beginning of the war there had been a radical party that ceased not to demand that the Government strike at slavery. But the President hesitated long, and the radicals denounced him unsparingly; yet Lincoln was right. He knew that the radicals were greatly in the minority; he knew that with all his desire to see the institution fall, he would alienate the border States and perhaps the whole Democratic Party of the North; especially in the Ohio Valley, if he pressed the matter too soon. The Republican Party was almost equally apathetic. Though in full control of Congress from 1861, it did not repeal the fugitive slave law till 1864 and then it did so without enthusiasm. The Democrats claimed to be fighting for the Union and not for the Negro. Lincoln therefore, with infinite tact, waited for public opinion and aided its development.

The gradual steps toward emancipation are interesting to note. The first step was taken by General Butler while in command at Fortress Monroe. He refused, in May 1861, to send three black fugitives back to their master, pronouncing them contraband of war. The next step was an act of Congress in August of the same year, confiscating all property, including slaves, employed in the service of the rebellion. Next came Fremont's confiscation order in Missouri, which, as we have noticed, was overruled by the President. In May of the next year, 1862, Gen. David Hunter, commanding on the coast of South Carolina, issued a proclamation declaring the slaves in his department—South Carolina, Georgia, and Florida—free; but the President overruled this, as in the case of Fremont. In spite of these apparent checks the subject continued to develop. On April 16, 1862, Congress abolished slavery in the District of Columbia, with compensation. In June it passed a law prohibiting slavery in all the territories of the United States, including those to be acquired. As early as March 6, Lincoln had urged Congress in a special message to cooperate with any State for the gradual emancipation of its slaves, with compensation from the Government. He figured out that the cost of the war for 87 days would purchase all the slaves in the border States at the rate of \$400 apiece. A resolution to this effect passed the House on March 11 and the Senate on April 2. Lincoln in July called the Senators and Representatives from the border States to the White House for a heart-to-heart talk on the subject. He begged them to accept his policy, pointing out to them that the opportunity might never come again, that the signs of the times pointed to the ultimate extinction of slavery; but he pleaded in vain. (The next winter a bill

came up in Congress to offer Missouri \$10 million for her slaves; but it was defeated by the efforts of the border State members, aided by the Democrats of most of the Northern States.)

The second and most sweeping Confiscation Act was passed on July 17, 1862. This act in substance pronounced all slaves free who should come within the protection of the Government, if their owners were in rebellion against the Government, or had given or should give aid or comfort to the rebellion.

On July 22 at a Cabinet meeting Mr. Lincoln declared his purpose to issue an emancipation edict to take effect January 1, 1863, and he read the document he had prepared. Two of the members, Seward and Welles, had been taken into the President's confidence and knew what was coming. The others were astonished at the announcement. But all approved it except Blair, who feared that it would throw the fall elections against the administration. At Seward's advice Lincoln decided to wait for some signal Union victory in the field, and the document was pocketed and kept secret for 2 months. Meantime the radical party continued to denounce the President for moving so slowly. Horace Greeley, representing this party, addressed an open letter, "The Prayer of Twenty Millions," to the President through the New York Tribune, urging him to take immediate action, to "execute the laws," meaning specially, the confiscation laws. To this Mr. Lincoln replied that while his personal wish was that all men should be free, his paramount official duty was to save the Union with or without slavery. (This letter was written on August 22, precisely a month after the famous Cabinet meeting, and precisely a month before the more famous proclamation was issued to the world.)

Then came Antietam and the retreat of Bragg from Kentucky. Now the proclamation could be issued and seem a child of strength. On the 22d of September, therefore, Mr. Lincoln issued his Emancipation Proclamation, which has been pronounced the most important document ever issued by a civil ruler. In this proclamation he declared that the slaves in all the States or designated parts of States that should be in rebellion against the Government on the 1st day of January 1863, should be forever free. This gave a hundred days' notice to the seceding States, but none of them heeded the warning, nor were they expected to heed it. Accordingly, on the 1st day of January the President issued his proclamation, of which the former had been but a warning, declaring the freedom of all slaves in the seceding States, except certain parts of Louisiana and Virginia, then held by the Union armies. (Slavery in the border States was not effected by this proclamation.)

This proclamation had no immediate effect in emancipating the slaves, no more than had the Declaration of Independence in bringing independence. Such a result could not have been expected. But the proclamation set forth the policy of the Government on this most important question that ever arose in American politics since the Revolution, except that occasioned by secession: it placed the war on a new basis without abandoning the old; namely, that henceforth it should be a war against slavery as well as against disunion; it announced to the world that if the North were successful in the great war, slavery must perish. The proclamation had a salutary effect on Europe, and won the North many friends. Europe cared little about preserving the Union, but as soon as the North proclaimed to the world that it was battling against human slavery, as well as against disunion, the sympathies



of mankind were turned in its favor. During the summer and fall of 1862 the British Government, urged by France at every step, came dangerously near recognizing the independence of the South. The matter was seriously debated in the Cabinet. Even Gladstone, whose memory today the American people delight to honor, predicted the certain success of the South, declaring that Jefferson Davis had made a nation. The deep-lying cause that led the British ruling aristocracy to wish to see the Union broken up and the South triumphant was its innate hatred of democracy. But with the issuing of the proclamation the great middle class that loved democracy and hated slavery made its voice heard. This class was led by the brilliant English statesmen, John Bright, by Richard Cobden, and by W. E. Foster, all of whom represented in Parliament great cotton manufacturing centers that suffered by the war. The unselfish attitude of the British masses was based wholly on a feeling of humanity.

Lincoln had at heart belonged to the radical party all along, in that he desired the overthrow of slavery; but he was too wise to be rash. He waited for the development of public opinion, and he waited none too long. The proclamation made the administration many enemies, as well as friends, and it doubtless had much to do in bringing about an alarming political reaction in the fall elections. A new Congress was elected about 6 weeks after the preliminary proclamation, and the Democrats showed great gains. The Republicans lost nine Members from New York, six from Pennsylvania, eight from Ohio; and but for New England and the border States they would have lost control of the House, while New York and New Jersey chose Democratic Governors. But the Emancipation Proclamation was not the sole cause of the reaction. Many voted against the administration because of arbitrary arrests, of the suspension of the writ of habeas corpus, of want of success in the field, of the dismissal of McClellan; and thousands of strong friends of the Union voted the Democratic ticket simply because they had always done so. The result, however, fell heavily on the burdened heart of Lincoln. He feared that it meant a want of confidence in himself, but he bore the burden silently and took no backward step.

Often has the constitutional right of the President to issue this proclamation been questioned. The President ordinarily has no power to interfere with private property. Not even the General Government had the constitutional right to touch slavery in any State. How then could Lincoln by his mere fiat set free 4 million slaves? The answer is that the measure was a war measure. It is the right and the duty of the President to suppress rebellion by any means necessary to success. Here was a vast revolt against the Government, and it was the slaves that raised the crops, that fed the armies that fought against the Government. Why not then strike at slavery? Here was the legal, technical ground on which Lincoln could do what he did, and he made use of it. He issued the proclamation ostensibly to weaken southern armies, knowing, at the same time, that he would not weaken them thereby. This, then, could not have been his real object, but it was the only ground on which he had any legal right to act. Must we, then, pronounce his act but a lawyer's trick after all? However that may be, the real object of the proclamation was to compass the downfall of slavery, to prepare the way for a constitutional amendment, to commit his party to the cause. The end accomplished was so unselfish and so vast as a factor in modern civilization that the world has long forgotten the technicality in admiration of its author.

Mr. MUNDT. Mr. President, the Emancipation Proclamation by Abraham Lincoln on September 22, 1862, marked the greatest act of humanitarianism ever engaged in by the head of a sovereign state in the history of the world. It seems to me that this act should be commemorated by the Senate and by the House of Representatives this year, especially at a time when almost half of the human race is threatened by the slavery of communism and by totalitarianism of one type or another by political despots in various foreign lands.

The VICE PRESIDENT. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 199) to provide for the designation of September 22, 1962, as Emancipation Proclamation Centennial Day, introduced by Mr. MUNDT (for himself and other Senators), was received, read twice by its title, and referred to the Committee on the Judiciary.

#### CONVENTION AND PROTOCOL WITH SWEDEN, RELATING TO EXTRADITION—REMOVAL OF INJUNCTION OF SECRECY

Mr. MANSFIELD. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive E, 86th Congress, 2d session, a convention on extradition between the United States and Sweden, together with a related protocol, signed at Washington on October 24, 1961, transmitted to the Senate today by the President, and that the convention and protocol, together with the President's message, be referred to the Committee on Foreign Relations and that the message from the President may be printed in the Record.

The VICE PRESIDENT. Without objection, it is so ordered.

The message from the President is as follows:

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a convention on extradition between the United States of America and Sweden, together with a related protocol, signed at Washington on October 24, 1961.

I also transmit for the information of the Senate the report made to me by the Secretary of State with respect to the convention and the protocol.

JOHN F. KENNEDY.

The WHITE HOUSE, June 13, 1962.

(Enclosures: (1) Report of the Secretary of State; (2) convention on extradition between the United States and Sweden, with protocol, signed October 24, 1961.)

#### AMENDMENT OF SMALL BUSINESS ACT—AMENDMENT

Mr. SALTONSTALL submitted an amendment, intended to be proposed by

him, to the bill (S. 2970) to amend the Small Business Act, which was ordered to lie on the table and to be printed.

#### NOTICE OF HEARING ON H.R. 8140, A BILL TO STRENGTHEN THE CRIMINAL LAWS RELATING TO BRIBERY, GRAFT, AND CONFLICT OF INTEREST

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled before the full committee for 10:30 a.m., Thursday, June 21, 1962, in room 2228, New Senate Office Building, on H.R. 8140, a bill to strengthen the criminal laws relating to bribery, graft, and conflict of interest, and for other purposes.

Persons or organizations desiring to testify with regard to this proposed legislation should communicate with the Committee on the Judiciary not later than Tuesday, June 19, 1962.

#### NOTICE OF RESUMPTION OF HEARING ON NOMINATION OF IRVING BEN COOPER TO BE U.S. DISTRICT JUDGE, SOUTHERN DISTRICT OF NEW YORK

Mr. EASTLAND. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that public hearing will be resumed on Friday, June 22, 1962, at 10:30 a.m., in room 2228, New Senate Office Building, on the nomination of Irving Ben Cooper, of New York, to be U.S. district judge, for the southern district of New York.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from South Carolina [Mr. JOHNSTON], the Senator from Arkansas [Mr. McLELLAN], the Senator from Nebraska [Mr. HRUSKA], the Senator from New York [Mr. KEATING], and myself, as chairman.

#### NOTICE CONCERNING CERTAIN NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Jesse L. Dobbs, of Texas, to be U.S. marshal, western district of Texas, term of 4 years, vice Albert W. Saegert, term expired.

Drew J. T. O'Keefe, of Pennsylvania, to be U.S. attorney, eastern district of Pennsylvania, term of 4 years, vice Joseph S. Lord III, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Wednesday, June 20, 1962, any representations or objections they may wish to present concerning the

above nominations, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

#### MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 2865. An act for the relief of Ferdinand A. Hermens; and  
H.R. 10502. An act for the relief of James B. Troup and Sylvia Mattiat.

#### ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, June 13, 1962, he presented to the President of the United States the enrolled bill (S. 2865) for the relief of Ferdinand A. Hermens.

#### THE EAST TEXAS OIL THEFT SCANDAL

Mr. YARBOROUGH. Mr. President, an editorial in the Dallas Times-Herald of Sunday, June 10, 1962, shows the great extent of illegal directional drilling for oil in the east Texas oilfields, and the theft there of large amounts of oil. The Times-Herald stated that the "hot oil" produced in the east Texas oilfields might amount to as much as \$6 million worth in a month. Mr. President, in a year's time, this would amount to an illegal theft of \$72 million worth of oil.

I point this out to emphasize the magnitude of "hot oil" operations in Texas. At this time it has not been determined how long "hot oil" production has been practiced in the east Texas oilfields—but certainly for several years now. However, I wish to point out that this situation was first called to the public's attention by Mr. Dan Purvis, of San Antonio, at the time when he was serving as head of the Federal Petroleum Board, at Kilgore, in 1961.

This illegal directional drilling and theft of oil are frauds of monumental proportions. While the Honorable Tom Connally was U.S. Senator from Texas, he authored the Connally Hot Oil Act of 1935, in an effort to prevent frauds and scandals such as those now rocking the east Texas oilfield.

I ask unanimous consent to have printed in the RECORD the editorial, entitled "In Texas," from the Dallas Times-Herald of June 10, 1962; and an article entitled "Paper Puts Oil Thefts at \$6 Million a Month," from the Houston Chronicle of June 8, 1962.

There being no objection, the editorial and the article were ordered to be printed in the RECORD, as follows:

[From the Dallas Times-Herald, June 10, 1962]

#### IN TEXAS

The probe into possible illegal drilling in the giant east Texas oilfield grew hotter last week. The Railroad Commission said that out of 10 wells surveyed so far, 8 were slanted to such a degree that they could not be producing oil from their own leases.

The Times-Herald learned from one source that the amount of hot oil produced in the field might total as high as \$6 million monthly. Some 60 Rangers and other law enforcement officers are assisting in the investigation.

[From The Houston Chronicle, June 8, 1962]  
PAPER PUTS OIL THEFTS AT \$6 MILLION A MONTH

DALLAS.—Illegal drilling in east Texas may have resulted in theft of as much as \$6 million worth of oil a month, the Dallas Times Herald said Thursday.

A hearing has been set for June 13 on an injunction to prevent oil operators from plugging wells the Railroad Commission wants to investigate to determine if they were drilled on the slant.

There was no indication as to how long the stealing has gone on.

Texas Ranger Capt. Bob Crowder, in charge of 40 Rangers and about 20 highway patrolmen guarding the wells, said several wells were damaged before he was sent to east Texas, the Dallas paper reported.

Roy D. Payne, district supervisor of the Railroad Commission, said 8 of the 10 wells surveyed so far were "bottomed in adjacent leases."

"There was such a degree of slant in those wells that they could not be producing oil from their own leases," he said.

"Two of the wells were straight holes," he said.

The Railroad Commission will make surveys of 160 wells before the investigation ends, Payne predicted.

Payne said he has been directed not to give any more information or interviews locally on the progress of the investigation.

He said he had been directed to make a daily report to the Railroad Commission at Austin and that any news releases would originate in that city.

Meantime, it was learned that four Rusk County wells, tested Wednesday by Railroad Commission personnel, proved to be deviated beyond the permissible 3 percent.

That brought to 12 the number of slanted holes found in the last 12 wells. In the other two, it was found that the holes had been plugged.

#### SMALL COLLEGES LEFT OUT OF FEDERAL RESEARCH GRANTS

Mr. YARBOROUGH. Mr. President, in the Dartmouth College case, far more than a century ago, Daniel Webster said:

It's a small college, but there are those who love it.

Not only do Americans love the small colleges, but the history of this country shows that they have made a great contribution to the growth, life, and development, and to the intellectual achievements of their graduates.

Mr. President, the erudite, scholarly, and informative Saturday Review, in its June 2, 1962, issue, has a most stimulating editorial by Guest Editor Glenn A. Olds, president of Springfield College, of Springfield, Mass., under the title "The Power Pyramid."

I think that Dr. Olds has done a fine service in pointing out the narrow range in the awarding of Government research contracts to institutions of higher learning. Institutions with 5 percent of the students receive 95 percent of the Federal funds. The small colleges are bypassed.

I ask unanimous consent to have printed in the CONGRESSIONAL RECORD, at this point, Dr. Olds' stimulating edi-

torial from the Saturday Review of June 2, 1962, under the title of "The Power Pyramid."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### THE POWER PYRAMID

Power is paradoxical. It is essential to survival, yet a threat to perfection. It is a clue to certain forms of cultural success, and to the failure of others. It makes a responsible democracy possible, and a representative democracy necessary. It is a means, not an end, for the distinctively human life, but is easily made into an end in itself. Power preserves life at a price—the constant temptation to turn it upside down, and destroy the end it is a means to protect.

This is why free men and societies have feared the concentration of power and sought to distribute and share it widely and responsibly; why they have designed checks, balances, and successive transfer of power. In the interest of security such precautions are slow, sloppy, and inefficient; yet in the interest of perfecting persons in freedom, they are essential. It is this pull between the desire to preserve our security and at the same time to perfect our freedom that lies at the root of the stresses of our time—between left and right in politics, in social philosophy, and in educational strategy. It is this same tension which prompted Hitler in "Mein Kampf" to put his finger on a painful point in saying that the weakness of any democracy is its temptation to imitate Fascist methods in fighting fascism.

Anyone visiting Washington these days must be struck with this paradox in the pyramiding of power to preserve, if not perfect, our freedom. We have been accustomed to it in times of crisis, and for military and political reasons. This we can understand, and in part accept. What distresses some of us, however, is how this subtle pyramiding of power has crept into education, which, through diffusion of knowledge and development of diverse abilities, has traditionally been the chief bulwark against concentrated power. Indeed, the classic conviction of education in a democracy is that no region, institution, or person has a corner on ability or the truth; nor does any professor or panel of experts deserve to be the custodian or conscience of a culture. To be sure, there has been a virile, aristocratic counterpoint to this theme, but it has never threatened to consume the score.

Yet, today, in the name of national defense, international security, and missile races to the moon, we are fast diluting this important function of education. Many of us associated with the widely scattered small colleges of America have been troubled by the growing pattern of Government and foundation interest support. At a recent conference in Washington it was disclosed that roughly 75 percent of all Government contracts involving research programs go to 25 institutions of higher learning out of over 2,000 in this country. Moreover, fewer than 100 institutions account for nearly 95 percent of the total funds. Ironically, private foundations are caught up in a similar pattern. One might think this reflects the fact that academic excellence, capability, and expertise are very finely selected and concentrated, but this is a case that remains to be made convincingly. It certainly runs counter to every basic democratic presupposition.

Certainly, too, these deepening grooves, once channeled out, constitute a crucial, if not vicious circle. And here lies the peril. Like a closed club whose membership succeeds itself on selection, review, and decisionmaking, this pattern of power repeats itself.



Even if such pyramiding of power were required for survival, which is debatable, it raises the knotty question of Pyrrhic victory. For what does it tell us of the real dynamics of democracy and the capability of the average man? Must he be further brainwashed into thinking that unless he makes the team of the prestige school and participates in projects of national priority and support, he is somehow unworthy of the club, or a failure as a democratic leader? Is this not more than a step away from that surrender of personal responsibility which is at the root of all permissive perversion of power? Does it not tempt us into thinking that only Washington, Harvard, or the Ford Foundation knows what is good enough to be supported or worthy of our most serious effort?

It may be true that to "him that hath, shall much be given," but it is time we asked how he got what he has, and whether it is too narrowly possessed and deserved. Indeed, we need to ask whether such possession is possible at all apart from that wider reservoir of consent and competence without which our form of democracy is unthinkable.

As we increase our funds to speed up the Voice of America abroad, let us not be deceived at home into thinking that only those who have mastered the Carnegie course have a right to speak, or indeed, that unless they have been screened by a panel of experts and chosen as spokesmen, they ought not to be heard.

GLENN A. OLDS.

#### POLK COUNTY AND TRINITY RIVER VALLEY PROGRESS

Mr. YARBOROUGH. Mr. President, many thousands of people in Texas are building their hopes for the future on the vast Trinity River Valley improvement program to make the Trinity River navigable as a large canal from the Texas gulf coast to Fort Worth.

In the May-June 1962 edition of the Trinity Valley Progress, the goals of the industrious people of Polk County are discussed in an interesting and informative article. The article shows how one county with a population of 11,957 as of 1960 is planning a magnificent future based in part on the opportunities offered by the development of water resources. The Trinity Valley Progress is a publication of the Trinity Improvement Association, dedicated to sponsoring improvement for the entire Trinity watershed, including flood control, soil-water-forest conservation, navigation, reclamation, alleviation of stream pollution, conservation of wildlife, and storage of water for municipal, agricultural, industrial, and recreational uses.

I ask unanimous consent to have printed in the RECORD an article entitled "Polk County: Wood, Water, and Workers Ready for Trinity Canal."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### WOOD, WATER, AND WORKERS READY FOR TRINITY CANAL

About an hour's drive up the Trinity Valley from crowded, noisy gulf coast cities is Polk County—a scenically beautiful area bristling with the green carpet of tall timber typical of east Texas.

Polk County, created in 1846 from Liberty County and named for the Nation's 11th President, James K. Polk, has an abundance of forest resources. It is looking forward to

an equal abundance of water resources that will come from the planned Lake Livingston and a navigable, controlled Trinity River. Polk Countians, like other residents of the Trinity Valley, know that their future growth and progress depends on the development of water resources.

Polk County, perhaps appropriately, is shaped generally like a space capsule. The air-age growth along the gulf coast area will undoubtedly be attracted more and more into its 1,094 square miles as barge transportation on the Trinity and water for industry and domestic uses are developed. It will find increasing uses for its vast amounts of timber, iron ore, lignite and building stone, and sands.

The pride and plans for the huge Lake Livingston is shared by Polk County with three of its neighbors—San Jacinto, Trinity, and Walker Counties. The four have formed a four-county development association to make plans for roads, picnic grounds, and other tourist facilities around its 500-mile shoreline.

Many of those now actively planning for the best usage around the 1,750,000 acre-feet of water to be added to the four counties are those who have long been supporters of the Trinity River development program. Their farsightedness and experience with water-planning projects will prove valuable with the complexities that will come with the huge Lake Livingston.

The big lake has been headline news regularly in Livingston's Polk County Enterprise, Corrigan's Times, and the coastal city dailies ever since the Trinity River Authority and the city of Houston started working out plans for its construction. After considerable negotiations an agreeable plan was adopted for the almost 2 million acre-feet of water, with TRA holding approximately one-third and the other two-thirds to bolster future water supplies for the bayou city.

Nat Ricker, field superintendent for the Coastal Engineering & Survey Co., and his crews are winding up their survey work this summer. Technical information from their Tellurometers and theodolites and other equipment readings are being fed to Brown & Root engineers for plotting and planning the waters that will back up from the big dam, a few miles southwest of Livingston.

Lake Livingston will straddle the Trinity River from southern Polk and San Jacinto Counties deep into Walker County not far from Huntsville. The planned lake is a part of the comprehensive plan for development of the Trinity.

A look at Polk County economics today shows that 87 percent of its 700,000 acres is commercial forest, five major timber companies being the principal landowners. Because of the predominance of tall timber, many of the Polk Countians earn their livelihood from the sale, harvest or manufacture of wood and wood products.

The county has seven sawmills, four of them sell finished lumber, the others sell only rough lumber.

Beef cattle, dairying, truck crops, swine, and poultry are other sources of agricultural income. Cotton, once the main row crop, has dwindled to little importance.

Polk County has an excellent network of farm-to-market roads which is of particular help to the beef and dairymen and to the nearly 30 truck farmers who furnish most of the fresh vegetables sold in the Beaumont Farmers Market.

County Agent James D. Wrenn likes to point to progress in the social and cultural phases of Polk County development, too. The county is proud of its seven 4-H Clubs and the work being done to encourage youngsters for future community leadership.

Development of Polk County resources and a large section of bordering San Jacinto County is also the job of Work Unit Conservationist Horace J. Miller, Soil Conserva-

tion Service, U.S. Department of Agriculture. Mr. Miller and Aids A. L. Young and Charles Dickens have more than 904,000 acres in their district, approximately 12 percent of it in farms under district agreement.

Since much of the total land is in woodland, one of the main objectives of the SCS district program is aimed at good conservation practices for timber. This year, Mr. Miller said, the emphasis is on "woodland weeding" or control of undesirable trees. Intermediate cutting is another practice that is getting the conservation men's attention. Sound, selective thinning is constantly promoted.

Mr. Miller said that in the past 10 years the land-use trend has been toward converting cropland to pasture. This has brought about the need for establishing perennial grasses and legumes on thousands of acres of cropland plus an improvement of partial stands of grasses and legumes on existing pastures.

In Polk County, as in other Texas counties, vised by Chairman Louis Stanford, Vice Chairman L. M. York, Secretary T. E. Collins, and members G. C. McClain and Ellis Murphy.

In Polk County, as in other Texas counties, the soil and water conservation work is a team effort, with full cooperation from the County Agent, the ASCS office, the Farmers Home Administration offices, and the Texas Forest Service.

Livingston, the county seat, is the center of much of the area's activities. It is a good, solid, friendly town that traces its history back to 1838, when Moses L. Choates established a camp there. Pioneer Choates named his camp "Springfield," but another Texas town with priority rights to the name caused him to change it to Livingston, for a town near his former home in Alabama.

Alabama has another connection with Polk County. The Alabama Indian tribe lives in Polk County, on Texas' only Indian reservation.

A few miles east of Livingston, on a 4,444-acre section of east Texas' most beautiful piney woods lives some 360 members of the Alabama and the Coushatta tribes of "original" Americans. Almost a quarter of their land is a magnificent virgin pine forest with spring-fed creeks, and filled with a silence that would refresh the soul of the most sophisticated city dweller.

As one newspaperman put it, "There are places just around the bend where you expect any minute to see Sam Houston and some of his Alabama Indian friends sitting by the fire and smoking the peace pipe."

The first reference to the Alabama tribe was noted in 1701. When the French moved in, about 1717, they settled some of the squabbles among the tribes and made friends with the Alabama tribe. After the French abandoned their wilderness outposts the tribe started wandering across the southern States and wound up in Texas, in 1816.

After that the Alabamas and their friendly neighbors, the Coushattas, were pushed around by the white man until Sam Houston's time. The general demanded and got for his Indian friends some 1,280 acres from the State.

For the next 60 years the red men got no help from either Federal or State governments, and his pine-covered forest home yielded almost nothing for food and clothing. Even his hunting privileges in the nearby Big Thicket were taken away from him. Disease, undernourishment, and deprivation cut the numbers down to about 200.

In 1928, both Federal and State agencies were prodded into appropriating funds to help improve living conditions. In 1954 the State of Texas took over full responsibility and now furnishes medical, dental, and burial expenses and, since the land is tax free, pays school tuition for the approximately 120 school-age youngsters.

A kindergarten in the village introduces most of the small fry to the English language. Public schools in nearby Big Sandy, Woodville, and Livingston do the rest. Education is being stressed and several members of the tribe have college degrees.

Tribal customs prevail in some operations of the Alabama-Coushatta Reservation. Bronson Cooper Sylestine, the 82-year-old chief, with Fulton Battise, second chief, and a tribal council of seven, make decisions such as the expenditure of State funds and some tribal matters. The chief, appointed for life, and the second chief hold lifetime voting power in council affairs.

Representative for the Board of Texas State Hospitals and Special Schools, State supervision agency of the reservation, is Supt. Walter Broemer. Superintendent Broemer hopes to help the proud, intelligent tribesmen become self-sustaining. He is aiming at two things, increasingly better education for the children, who can compete with their white neighbors for better jobs, and for a dramatic display of their communal life and customs so tourist trade can bring up their meager economic positions.

Many Polk Countians believe it could be one of the brightest, most interesting tourist spots in Texas.

While county leaders are keeping one eye on the potential tourist trade to follow the spreading waters of Lake Livingston, the other eye carefully considers the industrial growth that will come with low-cost barge transportation via the Trinity Canal. The Polk County Chamber of Commerce will furnish some straight-to-the-point, factual information on raw materials, available sites, and other data to any industrialist interested. The chamber, under the direction of President Sidney Smith and Manager Ingram Pace, has its headquarters in Livingston.

Livingston, and its sister towns of Corrigan, Camden, Onalaska, Blanchard, and a dozen others, point out that their county, with its wood, water, and workers, will soon be the industrial and tourist gateway to east Texas.

#### MEDICAL CARE FOR ELDERLY

Mrs. NEUBERGER. Mr. President, daily I read, with great interest, numerous articles in the CONGRESSIONAL RECORD regarding the King-Anderson proposal for health care. I read both sides of the question in the RECORD and in the press, but I think nothing is so effective regarding the legislation as letters from people who are afflicted with illnesses as they reach their later years and the experiences they have had with social security and with private health plans.

I ask unanimous consent that a number of letters I have received from my constituents on this subject be included in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

WARRENTON, OREG.,  
May 22, 1962.

DEAR SENATOR: This letter is not a request for you to do any more for medicare for aged, am sure you have done and will do all possible. It is to inform you of my own experience for past 16 years.

Am almost 74. Sixteen years ago my doctor ordered me to hospital with stomach ulcers, later was in for final check, discovered diabetes, back in hospital to learn to care for myself. Later in for infected knee. Later infected ankle. Then to Portland for cataract removal, twice same eye. Result, no vision that eye. Next, blood clot in foot. November 19, ulcers. Now have an ulcer on shin. Doctor trying to care for it outside hospital.

Last December my wife in hospital 8 days, gall bladder removed. My first trip to hospital, \$9 per day, 5-bed ward, last visit \$22 same ward. My expense, \$40 per day. That included three blood transfusions, insulin, and sleeping capsules. My wife's ward, three beds. With operation room, recovery room, etc., \$50.14 per day. Doctor has not yet sent bill. Our drug bill now almost \$1 per day. Pay hospital \$20 per month but they are ahead of us most of time.

Have been a carpenter for over 50 years. But now failing eyesight—am not able to do finish or cabinets. Arthritis keeps me from climbing. Have been lucky enough past 5 years—maintenance work on mink ranch, \$1 per hour. When that ends, surely will be pinched. Have not smoked or drank up wages.

My two older sons—one a flyer killed in action. He was studying for dentistry. Other died of cancer of blood, result of war. So no help. Helped my only daughter attend school, Eugene. My eldest son attending Oregon State University. Freshman working his way—able to help him very little. Other son in high school.

Best wishes for success. If bill not absolutely right, can be changed.

Sincerely,

P.S.—Paying \$199.80 per year to Oregon Physicians' Service Insurance.

ASTORIA, OREG.,  
February 10, 1962.

HON. MAURINE NEUBERGER,  
U.S. Senate,  
Washington, D.C.

DEAR MRS. NEUBERGER: I am writing to you because I feel that your recent illness and prolonged period of hospitalization will have enabled you to appreciate—as perhaps few others in Washington can appreciate—the situation in which many oldsters in our country find themselves today. Through no fault of our own we are caught in the grip of ever-mounting medical and hospital costs.

I will cite my own case because it is atypical: I am 84 years old and have exhausted the savings which I had thought would provide for me during my retirement years. For the past 2 or 3 years I have not dared to seek any medical aid or relief for plain and increasing infirmities because there is nothing left out of my small social security benefit, after I have paid for food and other necessities.

At each session, the hope is held out that something will be done to remedy this situation, and to bring medical care for oldsters, if not a national health plan such as we read all other industrialized countries in the free world have except the United States. And each session closes with nothing being done. Now I understand the President himself has come out and urged a bill be passed, but this is held up in the House Ways and Means Committee, and may not even reach the floor of Congress.

I am sure you will support such legislation in the Senate, but hundreds of your constituents and loyal supporters in Oregon are hoping there is something you can do to persuade the members of the Ways and Means Committee of the House to recommend the bill favorably to the House for action.

With appreciation of your work for Oregon, I am,

Sincerely,

PORTLAND, OREG.,  
May 24, 1962.

HON. MAURINE NEUBERGER,  
Washington, D.C.

DEAR FRIEND: I call you "friend" because your work for the people's good makes you indeed a friend.

We are hoping our President's social security efforts are successful as there are many of us who are seldom thought about. My case is typical: Employed under social security since its inception, 1937. Born in 1888—74 years old. Retired 1953—drew social security.

Had cared for my husband, a cancer victim for 3 years before I retired. There was no deletion for the "no income" years at that time.

My social security check is \$49. I am too frail to work. The medical help in the social security bill will keep me off the welfare rolls and help my three children to send their children to college.

I have a partial hospital coverage insurance that costs \$90 per year, besides the medical fees.

My E bonds all went to pay hospital and medical care for my husband.

I am very thankful that I had these bonds and that I have my own social security check coming every month.

I am proud of our Government and happy that we are helping our own needy people.

Sincerely,

#### PROPOSALS TO DO BUSINESS WITH FINLAND

Mr. SCOTT. Mr. President, a recent article in the New York World-Telegram calls attention to the fact that hundreds of small manufacturing firms in Finland desire to establish close business relationships with companies in the United States. Based on an interview with Nillo P. Mannio, managing director of the Finnish Union of Manufacturers, who was here on a business tour, the points made about this subject are worthy of study by businessmen in this country.

The industries of Finland function in a climate much like our own; that is, in a system of capitalistic free enterprise. More than two-thirds of her foreign trade is with nations of the free world. For these reasons and because I know Finland to be a nation of integrity, I should like to endorse the views expressed in the article.

There is a strong similarity between the small businessmen of Finland and the United States. The benefits of expanded mutual trade which they may enjoy merits our encouragement. A substantial reservoir of good will exists here for Finland, the country that has always paid her debts, and it can be furthered in the days ahead by increased beneficial trade.

I ask unanimous consent to have printed in the RECORD the article which appeared in the New York World-Telegram on April 30, 1962.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

#### FINLAND WANTS AMERICAN LINKS

Hundreds of small manufacturing firms in Finland are desirous of establishing close business connections with American companies, Nillo P. Mannio, managing director of the Finnish Union of Manufacturers, stated here today.

They believe that such connections would prove advantageous to all concerned, he pointed out. The Finns want in particular to obtain licenses to use the most advanced



technology in production. For this, they are willing to share their growing markets with American companies.

In the years immediately after the war, the bulk of Finnish exports went to Russia, Mr. Mannio pointed out. Next year, however, fully half of the exports will be going to new markets in the West, notably on continental Europe but also in the northern countries.

The continental European markets of course will open up even more if Finland, along with the other northern countries, Sweden, Norway, and Denmark, negotiates to share in the European Common Market. A big market is developing domestically in Finland, too, he said.

The typical small manufacturer in Finland, capitalized at around \$250,000 and employing about 30 persons, would welcome the participation of American companies in joint enterprises, Mr. Mannio said. At present, Mr. Mannio is on a business tour of the United States under the auspices of the State Department's foreign leader exchange program.

### FALLOUT SHELTER FOR SCHOOL-CHILDREN

Mr. ANDERSON. Mr. President, the Nation's first completely underground school was dedicated yesterday at Artesia, N. Mex. The Abo Elementary School was designed to provide classrooms for some 540 children, and emergency shelter and protection from fallout radiation for 2,100 persons. The total cost of the structure was \$470,000, with the Office of Civil Defense Mobilization contributing \$134,000 because this was a pilot project.

School officials and civil defense authorities from at least 19 States have already inspected the school, which is primarily the result of the initiative of the people of Artesia.

I ask unanimous consent that a message from President Kennedy to Mr. Tom Brown, Democratic national committeeman of Artesia, be printed at this point in the RECORD, along with the remarks of the Honorable Stuart Pittman, Assistant Secretary of Defense for Civil Defense.

There being no objection, the letter and remarks were ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,  
Washington, D.C., June 12, 1962.

Mr. TOM BROWN, Sr.,  
Democratic National Committeeman,  
Artesia, N. Mex.

DEAR SIR: I am happy to learn from Senator ANDERSON that the Abo Elementary School is being dedicated today. I have long known of Senator ANDERSON's interest in improving the educational opportunities of the people of New Mexico. The future of our Nation depends upon well-informed citizens.

The inclusion of a fallout shelter for the schoolchildren and the surrounding community is commendable and a necessary step toward insuring the survival of this country. Recognizing the importance of this type of project, the administration has recommended school shelters as an integral part of our civil defense program. In appreciation of your foresight, I have asked Assistant Secretary of Defense Stuart Pittman to appear at the Abo Elementary School as my representative today.

With all best wishes,

JOHN F. KENNEDY.

ADDRESS BY THE HONORABLE STEUART L. PITTMAN, ASSISTANT SECRETARY OF DEFENSE FOR CIVIL DEFENSE, ABO ELEMENTARY SCHOOL-SHELTER DEDICATION, ARTESIA, N. MEX., JUNE 12, 1962

I welcome this opportunity to speak at the dedication of this school. The capacity of your school board and school administration to pioneer in designing new environments for education is one of the qualities which would make our country an impossible target for any rational aggressor. It is also the quality that makes possible a realistic civil defense program.

Abo School is designed as a school, not as a shelter. Its design came about as a result of your highly successful experience with two windowless schools and a careful study of the conditions and costs that make sense for your schools. I understand that placing your school underground has achieved four things:

1. Better control of air conditioning;
2. Better learning conditions, fewer distractions;
3. Glareless lighting; and
4. More wall teaching space.

In more congested areas, the success of your experiment has particular significance. The availability of ground level play areas above the classrooms may warrant the moderate extra cost of below-ground construction.

The Federal Government became interested in this project after your school board decided, for educational reasons, in favor of advanced windowless designs. The Government has borne a share of the cost of this school as part of our continuing effort in researching and developing the most effective ways to achieve dual-purpose shelter space as a byproduct of the creative effort to improve our indoor environment.

Although your primary purpose was to make the best classroom facilities possible for about 540 schoolchildren, you have in addition, at slight extra cost, created in your community a capacity to shelter 2,100 persons against fallout radiation.

The underground school which we see here in Artesia is a unique project. But there are a surprisingly large number of unique projects which provide valuable data and experience for the growing body of knowledge about how to improve buildings so that they can protect against fallout radiation. In the Defense Department, we are stimulating many of these projects with both money and technical assistance. We are serving as a national and international center to cross-fertilize advanced work of this kind so that the pace of progress will pick up.

The design of your forward-looking architects, made possible by the alert and open minds of your school board and school administrator, is particularly important because school construction is the largest element in the Nation's new institutional construction. Schools are community centers and will play their role in an emergency, whether planned or otherwise. Furthermore, over a quarter of our population are students and the future of the country is tied to their fate.

So, it is indeed an inspiration to see this contribution to the technology of radiation protection emerge as a byproduct of efforts to improve the environment of classrooms and the cost of maintaining schools.

The objective of the President's new civil defense program is to locate and develop enough shelter space for the entire population to take cover from fallout radiation. Most of this will be done by using the shielding which now exists in many buildings all over the country, adapting new construction to provide more shelter areas and modifying structures which have some potential for shielding against radiation. To make this nationwide shelter system effective will re-

quire intensive organization, planning and training in every locality throughout the Nation.

Before describing how this program will work, I want to explain to you briefly why the decision was made by the President and the Secretary of Defense to start down this difficult road. Many people have it in their minds that fallout shelters are a flimsy version of a bomb shelter and would be overwhelmed by anything as big as nuclear war. The sense of hopelessness comes from oversimplifying the problem. The Secretary of Defense has available the results of elaborate continuing studies of a wide range of hypothetical attacks and the effects on human survival under varying conditions.

These results show that a nationwide system of shelters, sufficient to protect against fallout radiation, give reasonable assurance that at least a fourth of the population, that might otherwise be killed, would be saved by the shelters and a majority of our population might be saved by the shelter system under types of attacks less destructive of human life. These estimates extend over some years ahead when extremely heavy attacks would be theoretically possible. In short, the saving of lives that could be expected to result from a nationwide shelter system is enough to assure survival of this country as a Nation and in some circumstances could carry the country through a nuclear attack with a large majority of our population alive.

A number of commentators and scientists have attracted public attention by saying that the only shelter system that can save a significant number of lives would be a deep blast shelter system costing hundreds of billions of dollars. In the Defense Department, we disagree with these views with confidence because we have a far wider range of essential information about the problem. The conclusion has been reached with great care and deliberation that a moderate shelter program is practical and could make a decisive difference in the capacity of this Nation to recover from a nuclear attack.

The administration is determined to go through with this program. We have a difficult year ahead in which we must build public understanding of what must be done. Each citizen who is responsible for the lives of others has an obligation to play his role, particularly during this difficult first year when the subject is least understood. Leadership elements in this country, who are capable of looking this problem squarely in the face, must work together persistently and effectively to bring about the insurance of national survival against the possibility that our intensive search for peace should fail.

Now let's look at the shelter program. We have estimated that the shelter requirements of the Nation could be met in about 5 years if there is adequate response to the Federal Civil Defense program. The first leg is the easiest: The shelter space that already exists throughout the country. We have been conducting an extensive survey of all major structures in the country using over 1,500 architects and engineers under the contract with the Army Corps of Engineers and the Navy Bureau of Yards and Docks. We have developed a highly systematized method of gathering up the raw data, analyzing it and feeding it back to the communities that need this information. All the data is in and almost completely analyzed. The results are better than we had estimated. Our projections now indicate that there is enough fallout shelter space to take care of between 50 and 60 million people.

This amount of existing shelter space is a most significant fact. Following the debate about civil defense in the press, one would think that we are on the threshold of a decision as to whether or not to have shelters. The fact is that we have them in large

quantities for large numbers of people, and the problem at hand is what to do about it and how to make best use of them. No responsible person would suggest that we fail to tell those who live or work near these buildings that they provide protection which would increase their chances of survival in the event of a nuclear attack. People are entitled to this knowledge.

Another major undertaking will be the provisioning of the shelter space which is made available to the public. The Federal Government will procure and pay for these provisions and deliver them to local governments throughout the country for installation in the public shelter areas. The importance of these provisions cannot be overstated. The plan calls for enough food and water to sustain life on an austere basis for a 2-week period. There will be included basic medical supplies to use during this period. There will also be included radiation detection equipment, which is absolutely vital. These devices will be the eyes of the sheltered population as they seek to find their way into less crowded parts of the buildings after the first few days and as they seek to leave these buildings later for short trips, to decontaminate and find their way back to their homes after the radiation levels have declined sufficiently.

The Advisory Committee on Civil Defense of the National Academy of Sciences has pointed out that there are no technical problems essential to a shelter program that cannot be solved. The fundamental question is not technical feasibility. According to this distinguished body of scientists, engineers, and executives, it is a question of leadership, of guiding the public in a difficult undertaking. The urgent task at hand is to mobilize a broad base of leadership for this task.

Here in Artesia, we see the challenge that the nuclear age presents to every town. It has been met by an intelligent and pioneering response. When we consider the grim details of the possibility of a thermonuclear war by miscalculation, it is no answer to say this presents problems too difficult to meet, to say that the results are too frightening and so abandon ourselves to despair. In a world so small with uncontrolled forces so great, we cannot allow ourselves the luxury of inaction.

Rather, we must work for peace as never before, and I do not need to tell you that your Government and your President are using every resource to bring about peace with security. But this search and struggle for peace does not in any way conflict with prudent measures we take for our own protection. Abo School well illustrates this self-evident truth.

Your mayor, your school superintendent, your school board have served their country well by an example which will attract widespread attention by civic-minded leaders in many communities throughout the country.

#### MEDICAL CARE FOR THE AGED

Mr. SMITH of Massachusetts. Mr. President, opponents of President Kennedy's medical care to the aged program would often have us believe that the doctors of this country wholeheartedly support their efforts to halt this bill.

I have never believed that this was so. No one knows better than the average doctor what the cost is of the vital services he renders. No one is in a better position than he to know about the high cost of modern medicines and hospital care. And I do not believe that the American doctors are any more insensitive to the economic problems caused by

disease than to the physical pain it creates.

I am glad to report today, Mr. President, that over 300 Boston doctors have just added their names to the increasing group of people in my home State who have declared themselves in favor of the President's program. This shows, I believe, that the support for this measure is far more widespread than its opponents realize. It shows that the doctors of this country are ready to join the average citizen in asking for this bill.

I am not surprised at this, Mr. President, and I am pleased by it. More statements like this from the medical community should go a long way toward changing the antiprogressive image of the profession which some of its members have created for it.

I congratulate those doctors from Boston on their forthright stand and hope that more of their fellow physicians will now speak out in favor of this program.

I ask unanimous consent to include in the RECORD excerpts from an article which appeared in the Boston Globe of June 8 and an editorial from the same paper.

There being no objection, the excerpts and editorial were ordered to be printed in the RECORD, as follows:

#### THREE HUNDRED AND THIRTEEN BOSTON DOCTORS CRACK AMA FRONT ON MEDICARE (By Ian Menzies)

The first real crack in organized medicine's hitherto solid front against the King-Anderson medicare plan backed by President Kennedy came in Washington yesterday.

It was detonated with the arrival of a petition signed by 313 Boston physicians, many of them holding major professorships at Harvard, Tufts, and Boston University medical schools and with both national and international reputations in the world of medicine.

The petition ran completely counter to the policy of the American Medical Association.

It endorsed the King-Anderson bill and urged Congress to take action on the plan, locked up in the House Ways and Means Committee for months.

Especially flown to Washington yesterday morning, the petition was handed to Congressman CECIL R. KING, Democrat, of California, joint sponsor of the bill, by Mrs. Genevieve R. Goldy, executive director of the Physicians Committee for Health Care for the Aged Through Social Security.

The White House was aware of the petition's arrival by early afternoon.

"This petition," said Mrs. Goldy, "has helped to provide a badly needed antidote to the propaganda campaign which has sought to conjure a picture of all physicians in opposition to the social security health care principle."

"We are gratified by the courageous action of the Boston physicians \* \* \* this is a completely voluntary and spontaneous action by leading members of the medical profession."

"It is obvious from an examination of the names on this petition that eminent doctors have taken the trouble to study the issues involved in health care for the aged, and to have publicly made known their views."

"We hope that Members of Congress and the public will give full consideration and credence to the importance of this statement by leading figures of the medical profession."

KING said the AMA had tried to convey the impression that all doctors oppose the King-Anderson bill.

"This, of course," he said, "has never been the case. The signatures of the doctors from Boston show they have voluntarily voiced their support for the principle of health care for the aged through social security."

The petition signed by the Boston group, which may lead to similar petitions from other medical centers such as New York, Chicago, and Los Angeles, said in part:

"We the undersigned approve the principle by which social security funds would be set aside during the years of active employment to prepay the inevitable and often heavy medical-care costs of later life. We wish to express our support of the King-Anderson bill or similar legislation embodying the social security principle. We urge the Congress and particularly the members of the House Ways and Means Committee to support such legislation. This statement is an expression of individual opinion."

Among signers known throughout medicine and by laymen too were: Dr. Charles A. Janeway, physician in chief, Children's Medical Center, and Thomas Morgan Rotch, professor of pediatrics, Harvard; Dr. Francis D. Moore, surgeon in chief, Peter Bent Brigham Hospital, and Moseley professor of surgery, Harvard; Dr. Herman L. Blumgart, physician in chief, Beth Israel Hospital; Dr. Walter D. Bauer, chief of medicine, Massachusetts General Hospital, and Jackson professor of clinical medicine, Harvard.

#### MANY NOTABLES SIGN

Also Dr. James H. Means, emeritus professor of clinical medicine, Harvard; Dr. Count W. Gibson, professor of preventive medicine, Tufts; Dr. William Dameshek and William B. Schwartz, professors of medicine, Tufts, and New England Center Hospital; Dr. Arnold S. Relman, professor of medicine, Boston University; Dr. Peter H. Knapp, professor of psychiatry, Boston University.

#### DOCTORS DIVIDED

Solid indication that there is more than one point of view among doctors on the King-Anderson bill to provide hospital care to the aged under social security came yesterday with a petition signed by more than 300 Boston physicians favoring the measure.

The signers included many of the clinical professors in this world center of medicine, and particularly from Harvard. Only last month, members of the same group had helped to vote down overwhelmingly a proposal to make membership in the Massachusetts Medical Society compulsory for doctors.

Some see in all this a division of opinion between the hospital physicians and the so-called general practitioners. Yet it would be inaccurate to draw a hard and fast line. All that can be said with certainty is that not all eminent doctors support the position of the American Medical Association, and this is only to be expected.

#### THE AMERICAN CIVIL LIBERTIES UNION: SUBVERSIVES OR PATRIOTS?

Mr. CLARK. Mr. President, a recent article in the professional police journal, *Police*, in the March-April 1962 issue, by Dr. A. C. Germann, the head of the Department of Police Science and Administration, Long Beach State College, is entitled "Two Sides of Every Coin—The American Civil Liberties Union: Subversives or Patriots?" It takes up a number of the archaic and discredited charges against the American Civil Liberties Union and provides factual responses. I ask unanimous con-



sent that the article may be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

**TWO SIDES TO EVERY COIN—THE ACLU:  
SUBVERSIVES OR PATRIOTS?**

(By A. C. Germann)

**ABOUT THE AUTHOR**

Dr. Germann received the bachelor's degree in philosophy from Loyola University, Los Angeles, and the master's and doctoral degrees in public administration (with a specialization in law enforcement) from the University of Southern California.

He was a sworn officer of the Los Angeles Police Department, serving assignments in traffic, jail, juvenile, vice, patrol, and administrative units; later, he joined the faculty of the School of Police Administration of Michigan State University; in 1957, he assumed the responsibility for the police science program of Long Beach State College. Dr. Germann has acted as special police consultant to several Michigan and California communities, as well as serving on many police oral examining boards.

Dr. Germann served with the U.S. Air Force during World War II and during the Korean engagement. He is a member of the International Association of Chiefs of Police (Education and Training Committee, 1958-60; vice chairman, 1960-61), the International Federation of Senior Police Officers, the American Society of Criminology (central vice president, 1956), the California Peace Officers' Association, the American Society for Public Administration (board of directors, Los Angeles chapter, 1958-60), the Southern California Personnel Association, the Western Governmental Research Association, and the International Society for Clinical and Experimental Hypnosis. He is a member of Lambda Alpha Epsilon, national honorary police fraternity (sponsor, Kappa chapter, Long Beach State College), and Alpha Sigma Nu. He serves as secretary, law enforcement study committee, deans of instruction, California State Colleges, and is a member of the board of directors, Loyola-St. Vincent's Alumni Association.

His writings have appeared in *Police*, the *Police Chief*, the *Journal of Criminal Law, Criminology*, and *Police Science*, and other professional publications. He is author of "Police Personnel Management," "Police Executive Development," and coauthor of "Introduction to Law Enforcement" (Charles C. Thomas, publisher, Springfield, Ill.).

The writer, a former police officer who is currently directing an academic baccalaureate program of preservice and inservice law enforcement education, has noted, in various law-enforcement newsletters and periodicals, over the past several years, a most bitter and acrimonious series of attacks on the American Civil Liberties Union.

In the winter of 1960, the writer prepared an affirmatively factual article on the ACLU and asked for private comment from his immediate staff and from several local police administrators. The reaction and advice was that, apart from the objectivity of the material, some working law-enforcement administrators and practitioners would not want such information, some were strongly opinionated and could be vindictive, and some unenlightened police leadership would single out the writer for blackballing, thus damaging the reputation of the college program, stigmatizing the faculty, and frightening current and potential students.

In the spring of 1961, the writer requested some of the better known governmental agencies at the Federal and State level to give an evaluation of the ACLU. In the fall of 1961, the writer sent a final draft of this article to working law enforcement adminis-

trators, to directors of academic law-enforcement programs, and to citizens of high repute, eliciting their reaction and advice. Selected excerpts from the replies received appear with the article here presented.

On balance, the writer feels that although this is a controversial subject within the law-enforcement fraternity, and although he will receive some criticism from foolish and ignorant men, and some criticism from wise and learned men, there is sufficient timely justification for the following presentation, and that it is in the best interests of the professional police service.

**THE ACLU—WHAT IS IT?**

The ACLU is the only permanent, national, nonpartisan organization devoted solely to defending the Bill of Rights—without compromise.

For more than 40 years, the ACLU has interested itself in improving both democracy and freedom by defending the central constitutional safeguards which keep power in check—the Bill of Rights and other allied provisions of Federal and State Constitutions. More than 60,000 members stand staunchly behind the ACLU objectives of securing for all citizens: (1) Freedom of belief, expression, and association, (2) equality before the law, and (3) due process under law.

**THE ACLU—WHAT DOES IT DO?**

The ACLU, by legal action, engages in court tests of civil liberties principles embodied in the Bill of Rights, wherever threatened or violated.

The ACLU, by legislative action, lobbies for measures that strengthen civil liberties, and opposes bills that would impair civil, religious, and political freedoms.

The ACLU, by community education, works to inform the American citizen of his personal and national stake in defending the Bill of Rights.

**THE CONTROVERSY**

The ACLU has long been a controversial organization. To many police administrators and practitioners, ACLU is categorized as those who seek to handcuff the police; fiery resolutions calling for its investigation by the Congress of the United States categorically attest to its villainy; and derogatory allegations (of whatever vintage and credibility) are energetically and enthusiastically disseminated to the law enforcement vocation.

True enough, the ACLU has been a constant and strong irritant to many police agencies, for the ACLU has prodded, questioned, challenged, scrutinized, criticized, and loudly condemned many alleged law enforcement policies and activities that seemed to be contrary to the Bill of Rights.

True enough, the ACLU has defended the constitutional rights of many nonconformist or antisocial members of our society—including Communists, Socialists, Fascists, Japanese, Mexicans, Negroes, Puerto Ricans, Catholics, Jews, Jehovah's Witnesses, rapists, murderers, racketeers, union leaders, industrialists, soldiers, conscientious objectors, teachers, and students—wherever their constitutional rights were seriously threatened or violated.

True enough, the ACLU has been a current thorn in the skin of the police in many an American community in that it has been energetically pressing for a police review board, thus, perhaps, seeking to deprive the chief of police of his legitimate and proper disciplinary authority and responsibility.

True enough, the ACLU has, at times, taken positions and drawn conclusions from premises that, to many, seemed frail indeed.

True enough, ACLU attorneys have, at times, seemed to be pressing an all-out attack on the policeman by alleging brutality or prejudice and trying the officer in front

of the jury, instead of presenting a meritorious and dignified defense of their client.

True enough, ACLU members or chapters have seemed to overgeneralize about the police service, and have tended to regard all police as indifferent, brutal, arbitrary, or ignorant of the law and its limitations.

However, it would seem obvious that to overgeneralize about the ACLU in a derogatory fashion, or to knowingly fail to present its total character, constitutes a degree of irresponsibility that is unworthy of professional law enforcement, for it is incumbent upon any honest and competent inquiry to present all the facts.

**THE CHARGES**

Several charges are leveled, loudly and often, in grisly harmony, at the ACLU:

1. One derogation alleges that Report 2290, 1931, House Committee to Investigate Communist Activities in the United States, contains this statement: "The American Civil Liberties Union is closely affiliated with the Communist movement in the United States and fully 90 percent of its efforts are on behalf of Communists who come into difficulty with the law."

(It is seldom noted, by those making this charge, that the report is over 30 years old; that Mr. Martin Dies, first chairman of the House Committee on Un-American Activities, stated in 1939 that "This committee found last year, in its report, that there was not any evidence that the American Civil Liberties Union was a Communist organization"; or that Mr. Richard Arens, present staff director for the House Committee, stated in 1960 that, "The American Civil Liberties Union, ACLU, has never been investigated by the Committee on Un-American Activities, nor has it been found to be a Communist front by the Committee on Un-American Activities, or, so far as I know, by any governmental agency.")

2. Another derogation alleges that the 1943 Report of the California Factfinding Committee on Un-American Activities contains this statement: "The American Civil Liberties Union may be definitely classed as a Communist front or 'transmission belt' organization."

(It is seldom noted, by those making this charge, that the report is over 18 years old; that the 1959 Report of the California Senate Factfinding Committee on Un-American Activities states, "We do not believe that the American Civil Liberties Union nationally is in any sense subversive \* \* \*"; or that the 1961 report of the same committee stated, "We greatly disagree with many things that the ACLU California chapters do, but we do not believe that any of them are so infiltrated by Communists or fellow travelers at the present time to justify us in characterizing any of them as a Communist front.")

3. Another derogation alleges that some of the people who are, or who have been, members of the ACLU are, or were, Communists, fellow travelers, Communist sympathizers, or Communist dupes.

(It is seldom noted, by those making this charge, that many outstanding Americans are, and have been members of ACLU, such as Felix Frankfurter, Harold L. Ickes, and Frances Perkins; that national board and committee membership of ACLU have included such names as Msgr. John A. Ryan (Catholic University, Washington, D.C.), Robert M. Hutchins, (director, Center for the Study of Democratic Institutions, Santa Barbara, Calif.), Arthur Schlesinger (assistant to the President of the United States, Washington, D.C.); or that the current national chairman is the Hon. Francis Biddle, Attorney General of the United States, 1941-45, and 30-year member of ACLU).

The charges, basically, are that the ACLU is "Red."

## THE RESPONSE

This writer would not deny that some Communists have been members of the ACLU or may now be members, any more than he would deny that some Communists have been, or are now, members of academic institutions, employer or employee groups, religious bodies, or governmental agencies. Communist infiltration is a problem that is not unique to ACLU. The writer would deny, however, the assumption or suggestion that the ACLU is part of the Communist conspiracy, and is solely or mainly composed of and dominated by Communists or their dupes.

Why then, are police personnel bombarded with anti-ACLU materials? Is the vocation being "used" by groups subversive of democracy? Can the cloak of patriotism and anticommunism justify and sanctify the inflammatory and tendentious charges made against the ACLU?

Combating communism on a worldwide basis is frustrated, in the opinion of this writer, if we allow, in our country, any weakening of our dedication to the principles of human dignity and human rights. Our dedication to the ideals of freedom of belief, expression, and association; equality before the law; and due process under law are among our strongest ideological weapons against the Communist world menace.

Those who fret continually about Communist subversion in our country might well give equal energy to the task of making democracy come true for all Americans and might well support the ACLU in all of its proper efforts toward such objective. The most dangerous subversion in our country is that which denies in practice the human dignity and liberty that we profess.

Communism denies God, degrades man, and is a zealous and militant philosophy that knows what it believes and practices what it preaches. We who oppose it should have clear notions about God, about the nature of man as a child of God, about the immortal destiny of man, about human dignity and human rights—and we should practice our beliefs just as zealously and militantly. To attack a defender of the Bill of Rights, as such, as a "Red," is, in the opinion of this writer, genuine subversion.

## THE RECORD

The writer fully realizes that tempers are short, and that he who questions the "popular opinion" is likely to be subject to violent reaction. Nonetheless, the writer would beg leave to present, in the interest of truth and objectivity, a few items for consideration by his law enforcement conferees, and would trust that none have taken the position, "Don't bother me with facts; my mind is already made up."

## I. EDITORIAL COMMENT

One might well note editorial commentary relative to the ACLU, often extended at its anniversaries or conferences, bearing in mind that most of the editors and publishers maintain a conservative philosophy:

## NORTHERN PAPERS

Minneapolis Morning Tribune: "Over a long period of years conservatives and radicals, employers and labor unions, Americans in every walk of life and of every political complexion, have found the ACLU fighting on their side. The only provocation to action has been a civil liberty endangered. . . ."

The Capitol Times (Madison, Wis.): "The American Civil Liberties Union . . . has been fighting for real Americanism . . . it is an unyielding foe of the tyranny of communism. . . ."

## EASTERN PAPERS

Toledo Blade: "Formed . . . to fight for the constitutional rights of all persons

without regard to their political, religious, or other beliefs, the American Civil Liberties Union has nevertheless scrupulously disassociated itself from the views of those whose rights it was defending. Although the union has upheld the freedom of Communists to speak or to write, it has at the same time earned the hatred of Communists by demanding the same freedom for Fascists. . . ."

Pittsburgh Post-Gazette: "What the ACLU really stands for is the essence of Americanism, once so well expressed by Supreme Court Justice Frank Murphy when he said: 'Only by zealously guarding the rights of the most humble, the most unorthodox, and the most despised among us, can freedom flourish and endure in our land.'"

## SOUTHERN PAPERS

New Orleans Item: "The ACLU is a controversial organization, yes—one that has had the courage to take an unpopular stand more than once. It has defended the constitutional rights of citizens of various creeds and political beliefs because it believes that if any American is deprived of his liberties, then the liberties of all of us are in danger. But on its record, the ACLU would seem to be about as subversive as the Bill of Rights."

St. Louis Post-Dispatch: "The ACLU has established its fearlessly independent reputation, and particularly its freedom from Communist control, by . . . years of evenhanded defense of principle—the freedom principle of the Bill of Rights."

## WESTERN PAPERS

The Denver Post: "The ACLU has stood firmly against waves of near-hysteria that have threatened, at times, to sweep away long-treasured civil liberties. . . . The organization has asserted a thoughtful and justifiable viewpoint on close questions of Communists' rights. And while its concepts of civil liberties have not always been either popular or sustained by the courts, few informed persons or organizations have ever questioned the purity of its motives, the quality of its patriotism, or the depth of its courage."

San Francisco Examiner (June 14, 1961): "The Fact-Finding Committee on Un-American Activities of the State Senate has corrected an old injustice, and enhanced its own reputation, by setting its records straight about the loyalty of the American Civil Liberties Union . . . it was said in complete honesty that the committee declares itself 'convinced that (the ACLU) is not a Communist-dominated organization or a subversive front in any sense.' This is a complete reversal of position. . . ."

Sacramento Bee (Oct. 17, 1961): "Civil liberties have been so maligned by those who have conducted campaigns to still liberals that it is conceivable some ignorant folk might be misled into assuming the ACLU is subversive . . . the ACLU is a dedicated and thoroughly American organization. It is concerned with doing battle for every right secured in the Constitution. . . ."

## MIDWESTERN PAPERS

Chicago Daily News: "In its long history the ACLU has befriended persons of all shades of political and religious opinion. . . . It would be a grave injustice to leap to the conclusion that insistence upon civil rights for alleged Communists, any more than for alleged murderers, indicates the slightest sympathy for unpatriotic or anti-social behavior. Concern for free speech, equal treatment under the law, and a fair trial before conviction is the essence of Americanism, the opposite of Communist tyranny. . . ."

The Des Moines Register: "The Civil Liberties Union . . . has defended the rights of free speech, free press, religious freedom, and academic freedom from all sorts of po-

litical groups and individuals—including race-baiters, semi-Fascists, Communists, and other reactionaries as well as liberals. . . ."

## NATIONAL PAPERS

The New York Times: "The American Civil Liberties Union . . . a useful and thoroughly patriotic organization. . . . To equate patriotism with conformity, orthodoxy and name-calling is dangerous nonsense; and this cannot be pointed out too often. . . ."

The Christian Science Monitor: "I do not agree with a word you say," said Voltaire, 'but will defend to the death your right to say it.' It would be hard to find a more searching test of the genuineness of democratic sentiments than is implicit in this famous dictum. And it would be equally hard to find an organization that subjects itself to this test more often and more willingly than does the American Civil Liberties Union. . . ."

## II. PERSONAL COMMENT

One might well note the personal comments of distinguished Americans relative to the ACLU:

Gov. Thomas E. Dewey, New York, in a letter to ACLU, November 23, 1945, said: "I am happy to send warm greetings to all members of the American Civil Liberties Union. . . . It is a matter of just pride to the citizens of New York State that the American Civil Liberties Union was incorporated under the laws of the Empire State . . . you have established an enviable record. You have established also, beyond all possible doubt, proof that the American Civil Liberties Union is an essential part of American life . . . Without the American Civil Liberties Union there would be no organization to take up the cudgels for lone, oppressed individuals . . . It has been inspiring to observe that the American Liberties Union has stood unwavering on the principle of defending everybody's rights without distinction. . . . It is a pleasure, therefore, to hail the gallant part that the American Civil Liberties Union has taken in upholding the principles for which this Republic was founded and to extend my warm good wishes for continuing success. . . ."

President Harry S. Truman, in a letter to ACLU, November 24, 1945, said: "I send you warm greetings. . . . I believe with your members that whatever a man's political thinking, whatever his background, environment or education, he must, if he be a real American, respect the aims of organizations such as yours. The integrity of the American Civil Liberties Union and of its workers in the field has never been, and I feel, never will be questioned. Officers, directors and members of the Union have performed outstanding service to the cause of true freedom."

Gen. Lucius D. Clay, in a letter to ACLU, November 27, 1949, on the retirement of Roger Baldwin, executive director of ACLU, said: "It is with great regret that I learn that Roger Baldwin is retiring as executive director of the American Civil Liberties Union . . . he helped all of us who had associated with him, just as through the years he has helped our country to a better understanding of tolerance and the dignity of man."

Gen. Douglas MacArthur, in a letter to ACLU, December 30, 1949, on the retirement of Roger Baldwin, said: "Roger Baldwin's crusade for civil liberties has had a profound and beneficial influence upon the course of American progress. With countless individuals finding protection in the nobility of the cause he has long espoused, he stands out as one of the architects of our cherished American way of life."

President Dwight D. Eisenhower, in a telegram sent to a dinner honoring 10 civil liberties organizations, among them NAACP



and ACLU, March 16, 1953, said: "I am sure that the people of the United States join \* \* \* in honoring the work of the distinguished private agencies which are doing so much to guard civil rights and to advance human rights in our Nation. Their achievements over the recent decades have helped to translate into reality our religious and democratic ideals. \* \* \*

President Eisenhower, in a letter to ACLU, April 18, 1960, said: "In this 40th anniversary year of the American Civil Liberties Union, it is a special pleasure to send greetings to those attending your biennial conference. \* \* \* There is work to be done, and while I remain in office—and for as long as God gives me to live—I will continue to combat every threat to our sacred principles of freedom, liberty, and equal justice under law. It is good to be reminded that the members of the American Civil Liberties Union and the overwhelming majority of my fellow citizens are working together in this field with steadfast vigor and understanding."

Cardinal Cushing, Boston, in September 1960, made public apology for labeling the ACLU a "pro-Communist front," according to the winter, 1960, issue of "Civil Liberties in the Bay State." The item states:

"Cardinal Cushing has apologized for a 'flagrant error' which tagged the ACLU as a 'pro-Communist front' in one of a series of articles he wrote for the Boston Evening American entitled 'Questions and Answers on Communism.'"

"The series appeared in September, the article in question on September 24. The prelate, in reply to a letter of protest from the Reverend Gardiner M. Day, CLUM chairman, said he had ordered 5,000 pamphlets based on the series destroyed and promised he would 'make amends in your behalf.'"

"The article, which referred to the United Nations as the 'outstanding example of a popular front in the United States,' included the ACLU along with the Theater Guild, the Lawyers Guild, the League of the Defense of Democracy and the Friends of the Soviet as pro-Communist fronts. It referred readers to page 90 of 'Masters of Deceit' by J. Edgar Hoover where the author is alleged to present a 'typical example of Red activity on the part of the ACLU.'"

"On September 28 the Evening American printed a retraction, commented that the reference in Hoover's book was to another organization and carried a statement by Chairman Day which noted in part:

"It is indeed unfortunate that the article should refer, as it does, to ACLU as a 'front.' It is not listed in either the Attorney General's list of subversive organizations or in the list issued by the House Un-American Activities Committee. On the contrary, the Pilot, official newspaper of the Boston Archdiocese, has referred to the Union as 'the ranking civil liberties organization in our country.' Leading citizens, including well-known Catholics, serve on the governing boards of ACLU both nationally and locally. An outstanding Jesuit educator, writing in America, a Catholic weekly, has commended ACLU for its activities in many fields and has pointed out its work to help Catholics in fighting discriminatory ordinances and public school regulations."

"In his reply to Chairman Day's protest, Cardinal Cushing said he was 'very upset' about the error, noting that the articles were 'hurriedly prepared to be timed with the visit of the leader of international communism to the United States.' He added that the FBI had also pointed out to him the erroneous reference to ACLU."

"I feel awful about this matter," the cardinal declared, "and if you have any reactions to it I will be happy to send a personal note to all who are concerned about it."

Hon. Joseph O'Meara, dean, Notre Dame Law School, 20-year member of ACLU, in 1961, in the "Voice of St. Jude," said: "Liberty will not take care of itself, so the ACLU is desperately needed to safeguard our liberty. It is the only organization which is on guard day and night to defend these liberties. Personally, I have disagreed with some of the stands taken by the ACLU, but I am in complete sympathy with its primary purpose, and I think every American citizen should be."

### III. LETTERS TO THE WRITER

One might well note a few comments which have been extracted from letters sent to the writer in spring, 1961. The letters were in answer to his request for opinions about the character of the ACLU:

U.S. Senate, Internal Security Subcommittee: March 3, 1961, from Senator THOMAS J. DONN, vice chairman: "The American Civil Liberties Union has not been cited as subversive by the Attorney General nor is it listed in the House Committee on Un-American Activities 'Guide to Subversive Organizations and Publications'. \* \* \*

U.S. Congress, House Committee on Un-American Activities: March 22, 1961, from Frank S. Tavenner, Jr., director: "The American Civil Liberties Union has not been investigated by the Committee on Un-American Activities, nor has there been any hearings held in connection with the organization. It has not been cited as a subversive organization by this committee or any other Federal agency. \* \* \*

U.S. Civil Service Commission, Investigations Division: March 8, 1961, from Woodrow L. Browne, acting chief: " \* \* \* in its investigations the Commission does not treat membership in the American Civil Liberties Union as a loyalty question requiring referral. \* \* \* Neither does the Commission consider such membership as derogatory in evaluating the suitability and fitness of Federal applicants or appointees to positions in the competitive civil service. Membership in this organization is not viewed as disqualifying under the Commission's standards of fitness for Federal employment. \* \* \*

California Senate, Factfinding Committee on Un-American Activities: March 28, 1961, from R. E. Combs, chief counsel: " \* \* \* I am asking that you be sent a copy of our 1959 report. On pages 144-146 you will find some materials about the ACLU which categorically states that we do not now consider it a Communist front or transmission belt. \* \* \* Having served as a consultant to a Presidential Commission on Government Security in Washington in 1956-57, I had an opportunity to study the techniques of experts in the business of evaluating personnel records for security purposes. I assure you from personal knowledge that none of the experts I knew would come even remotely close to considering membership in the ACLU as evidence of the slightest disloyalty. \* \* \*

State of California, Department of Justice, attorney general, March 2, 1961, from Nancy Strawbridge, administrative assistant: "Communists believe in destruction of American freedom and our Constitution. The American Civil Liberties Union constantly fights to preserve American freedom and our Constitution. \* \* \* No truly responsible person or organization can accurately label this group as anything but thoroughly patriotic."

### CONCLUSIONS

Admittedly, the writer has, in this presentation, been most favorably inclined toward the ACLU. The reason must be obvious: to bring some balance to police thinking, in the interest of truth and justice, for most police administrators and practitioners have been subjected, within the vocation, to a constant barrage of material vilifying the

ACLU, thus making a well-considered appraisal of the organization most difficult.

It is very easy to believe ill of someone or something we want to believe ill of. Most policemen can testify to this, for they are most sensitive to the generalized public reaction and attitude which stigmatize an entire department or the vocation as a whole because of the inept or immoral or foolish actions of an individual policeman or police unit. Most policemen regard this kind of generalized public reaction as unfair, illogical, unjust, and somewhat asinine. The same rationale applies to a consideration of the ACLU. To stigmatize a chapter, or the organization as a whole, because of the inept or immoral or foolish actions of an individual ACLU member or units is to be just as unfair, illogical, unjust, and asinine.

The objectives of ACLU and the objectives of law enforcement are worthy and in keeping with the common good. There is no good reason, in the opinion of the writer, why the ACLU and the law enforcement vocation cannot work hand in hand in a mutual effort to secure ordered liberty for our people. There is no good reason, in the opinion of the writer, why the ACLU cannot make acceptable suggestions to law enforcement for the better protection of individual liberties, nor why law enforcement cannot make acceptable suggestions to the ACLU for the better achievement of public support of activities aimed at community security.

In its dealing with each other, the ACLU and the American police service must learn to conduct a dialog with precision and with scrupulous regard for objective evidence. Merely because the ACLU loudly and insistently points up both real and imagined civil rights violations is no reason for law enforcement to respond with an attack on ACLU personalities. And merely because the police regularly and forcefully make both legal and illegal arrests in acting to repress crime is no reason for ACLU to form an unbending antipolice state of mind. Impartial, objective, and rational appraisal of the points at issue, both by police and civil libertarian, will assist in the mutual solution (or at least a better mutual grasp) of a grave problem of democratic law enforcement: the achievement of ordered liberty in a manner that wisely balances individual freedom with collective security.

Both police and civil libertarian must avoid the mental rut wherein the police mind looks upon any criticism as the work of a "bleeding heart" or "subversive," and wherein the civil libertarian looks upon any crime repression as the work of "heavy handed brute" or "storm trooper." Discussions between law enforcement people and ACLU people should be on a logical basis, with emotional polemic at a minimum, and with a strict regard for the complete facts.

This writer is quite sanguine that professional police administrators and policemen are fully as stalwart in defense of civil liberties as are members of ACLU. And this writer is quite sanguine that wise and learned ACLU members are fully as enthusiastic in supporting strong crime repression activities as are members of the law enforcement vocation.

As a matter of fact, this writer can see no paradox, no contradiction in terms, no friend-foe dichotomy, and no necessary embarrassment in terms of police membership in ACLU and would offer that consideration to all professional police administrators and practitioners.

No professional police administrator or practitioner would need fear the ACLU membership condition which states: "The ACLU needs and welcomes the support of all those, and only those, whose devotion to civil liberties is not qualified by adherence to Communist, Fascist, KKK, or other totalitarian doctrine."

# PHILADELPHIA FREEDOM WEEK, 1962

Mr. CLARK. Mr. President, during the week beginning June 27, and ending July 4, Philadelphia will celebrate Freedom Week, 1962. I am happy to advise the Senate that the principal address on July 4 at Independence Hall will be made by the President of the United States, Hon. John Fitzgerald Kennedy. I am confident that the President's remarks on that occasion will constitute an important contribution to the study of our foreign policy, as he will be speaking in the hallowed building where both the Declaration of Independence and the Constitution of the United States were drafted and signed.

I sincerely hope that a substantial delegation from the Senate of the United States will attend the ceremony and hear our President speak on this vital subject.

I ask unanimous consent to have printed at this point in the RECORD the schedule of events during Freedom Week, 1962, in Philadelphia.

There being no objection, the schedule of events was ordered to be printed in the RECORD, as follows:

## PHILADELPHIA FREEDOM WEEK, 1962

JUNE 27 TO JULY 4

Wednesday, June 27, Independence Hall, 12 noon: Presentation of "Philadelphia Firsts" to firms and institutions founded in Philadelphia as the first of their kind in the Nation. Drexel Institute Chorus of 150 voices. Band music. Nationally known speaker.

Thursday, June 28, Washington Square, 12 noon: Raising of the colors of Thirteen Original States by Children of American Revolution. Freedom messages from the Governors of the Thirteen Original States and featuring participation by descendants of the signers of the Declaration of Independence. Laying of wreath on Tomb of Unknown Soldier of Revolutionary War. Band music. Pipe and drum corps.

Friday, June 29: Special naturalization ceremonies in Old City Hall, where the first Supreme Court met. Nationally known speaker will address the assembly.

Saturday, June 30: Special tours to historic places such as Independence Hall, Betsy Ross House, Christ Church, Benjamin Franklin's Grave, Olympia, Valley Forge, and City Hall for panoramic view of city.

Sunday, July 1: Inauguration of Son et Lumiere, the spectacular light and sound pageant of history, "The American Bell," written by Archibald McLeish, narrated by Frederic March, Independence Hall.

Monday, July 2: Salute to Freedom Fighters of the World, Independence Hall, 12 noon. Freedom Week Committee in cooperation with Free Europe Committee will present program at Independence Hall featuring nationally known speakers, band music, etc.

Monday, July 2: Arrival in Philadelphia of Yankee Doodle Dandies from the Thirteen Original States. These are boys and girls who were all born on the 4th of July and who have won a competition in their home State, thereby earning the privilege of coming to Philadelphia to compete for the title of National Yankee Doodle Dandy, the winner to present an original short essay on "What My American Freedoms Mean to Me" at the annual Independence Day ceremonies at Independence Hall. Residents of the Thirteen Original States are encouraged to come to Philadelphia for these historic 4 days in July (July 1-4) to support their State's Yankee Doodle Dandy.

Tuesday, July 3: Competition among Yankee Doodle Dandies for title of National Yankee Doodle Dandy to be held in Congress Hall which is being renovated and which will be open again to the public for the first time in June.

Wednesday, July 4: Official Independence Day services at colonial church. Annual Independence Day ceremonies at Independence Hall. Program highlighted by colorful pageant of flags in salute to the 50 States and to the Governors of all the States who will be in Philadelphia on July 4. Pageant presented by Philadelphia Council of Boy Scouts of America and Girl Scouts of Philadelphia. Prominent personality of the theatrical world in a reading of the excerpts of the Declaration of Independence. (Marian Anderson has been invited to do this.) Musical tribute by the winning Mimmers Band dressed in satins and plumes. Miss Liberty Belle, Philadelphia teacher of American history, who is Freedom Week's Ambassadors of Freedom. The colonial clad figure makes her farewell appearance. National Yankee Doodle Dandy presents his winning essay and Philadelphia's Yankee Doodle Dandy who presents the "Children's Declaration," a reaffirmation of a child's faith in the American way of life. Musical birthday tribute to the Yankee Doodle Dandies by Philadelphia Police and Firemen's Band. Greetings from the mayor of Philadelphia, greetings from the Governor of Pennsylvania, greetings from the U.S. Senators from Pennsylvania, greetings from the House of Representatives, presentation of Philadelphia Freedom Award to former President Harry S. Truman, and an address by President John F. Kennedy. In the afternoon the Independence Regatta on the Schuylkill. In the evening, fireworks. Free parking at Independence Hall parking lots.

## KEY ISSUES OF WAR AND PEACE— ADDRESS BY DR. LEO SZILARD

Mr. CLARK. Mr. President, in the past few months, Dr. Leo Szilard, who is now living in Washington, D.C., has spoken at Harvard, Swarthmore, Western Reserve, the University of Chicago, the University of California at Berkeley, Stanford, Reed, Oregon University, and Sarah Lawrence on the question "Are We On the Road to War?" The text of the speech given at those nine colleges and universities appeared in article form in the April 1962 issue of the Bulletin of Atomic Scientists. For a provocative, original, and highly stimulating discussion of some of the key issues of war and peace now confronting the Nation, I commend to Senators a reading of Dr. Szilard's article.

I do not necessarily endorse everything that Dr. Szilard has said, but I believe his views are worthy of widespread public discussion.

Mr. President, I ask unanimous consent that the text of Dr. Szilard's article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

### ARE WE ON THE ROAD TO WAR?

(By Leo Szilard)

For a number of years now, you have had an opportunity to observe how we, as a nation, respond to the actions of the Russians, and how the Russians respond to our responses. Those of you who have watched closely the course of events in the past 6 months, may have been led to conclude that we are headed for an all-out war. I myself believe that we are, and that our chances of

getting through the next 10 years without war are slim.

I personally find myself in rebellion against the fate that history seems to have in store for us, and I suspect that some of you may be equally rebellious. The question is, What can you do?

War seems indeed to be inevitable, unless it is possible somehow to alter the pattern of behavior which America and Russia are exhibiting at present. You, as Americans, are not in a position to influence the Russian Government; it follows that you would have to bring about a change in the attitude of the American Government which, in turn, may bring about a similar change in the attitude of the Russian Government.

It is conceivable that if a dedicated minority were to take effective political action, they could bring about the change in attitude that is needed. But such a minority can take effective action only if it is possible to formulate a set of political objectives on which it may unite.

Ever since the end of the war, the policies of the great powers have consistently followed the line of least resistance, and this line leads to an unlimited arms race. I do not believe that America can be made secure by keeping ahead in such an arms race.

There have been repeated attempts to stop the arms race by negotiating an agreement that would provide for some form of arms control. So far, all such attempts have failed, and each time they were followed by the continuation of the arms race, with renewed vigor.

Toward the end of the Eisenhower administration, it was generally expected that the next administration would adopt a new approach to this problem and that a fresh attempt would be made to bring the arms race under control.

When Khrushchev was in New York a year ago last October, I tried to see him, in the hope of finding out how responsive he might be to such a new approach. I was told that they had scheduled 15 minutes for me but, as it turned out, the conversation went on for 2 hours. At that time, it was not known whether Kennedy or Nixon would get elected, and I started off the conversation by saying that no matter who is elected, the Government would try to reach an understanding with Russia on the issue of stopping the arms race. Khrushchev answered—and he spoke in all seriousness—that he believed this also.

A year ago last November, I checked out of the hospital in New York, where I had been confined for over a year, took a taxi to the airport, and flew to Moscow to attend the sixth Pugwash Conference on Science and World Affairs. I was accompanied by my wife, who is also my doctor, and I stayed on in Moscow for about a month beyond the end of the conference. I stayed on in Moscow in order to engage in private conversations with our Russian colleagues, because I knew from experience that only in private conversations is it possible to get anything across to them or to discover what they really believe to be true.

None of our Russian colleagues brought up the issue of bomb tests in any of these conversations in Moscow, even though 2 years earlier some of them had been passionately interested in this issue. I found, however, an undiminished interest in far-reaching disarmament which would result in substantial savings. On one occasion, I had tea with Fedorov, the General Secretary of the Soviet Academy of Sciences, with no one present except my interpreter. I had met Fedorov before and I always got along well with him. On this particular occasion, he spoke to me as follows:

"You must really believe me when I tell you that we want general disarmament. You have seen all this construction work going on in Moscow; it has been going on for



many years; still we are not able to catch up with the housing shortage. If we had disarmament, we could not only solve this problem, but many of our other economic problems as well. Also, we could develop other nations on an unprecedented scale. So far, we are building only one hydroelectric dam in Africa—the Aswan Dam in Egypt; if we had disarmament, we could, and we would, build 20 such dams in Africa.”

I tried to impress upon our Russian colleagues that the Kennedy administration would make a serious effort to reach an understanding with Russia on the issue of arms control, but that the new administration would need time—6 months and more than 6 months perhaps—to find its bearings on this issue and to get organized to deal with it.

When I returned to this country in February, I decided to stay in Washington for a while.

In Washington, my friends told me that the Government was going to make a sincere effort to reach an agreement with Russia on the cessation of bomb tests and that a reasonable proposal would be made to the Russians on this issue. They would have liked to hear from me that Russia would be likely to accept such a proposal, but coming fresh from Moscow, I had serious doubts on this score.

The invasion of Cuba took me by surprise. When I first heard about it, it was not clear, as yet, whether we were going to give air support to the invading Cuban exiles and whether we would, if necessary, send in the Marines also. My immediate reaction was that of alarm, for I believed that if we did any of these things, we would seriously risk war with Russia. I did not think that Russia would try to intervene in the Caribbean area, and I did not think that the Russians would launch long-range rockets aimed at our cities. I thought, however, that Russia might make some military move elsewhere, probably in the Middle East.

In retrospect, it would seem that I was wrong, for Tom Slick of the Slick Oil Co., in San Antonio, Tex., recently set forth, apparently on good authority, that, if America had openly intervened in Cuba, at that point, Russia would have moved into West Berlin.

I would not venture to appraise just how close we came to an all-out war on the occasion of the Cuban incident. I am reasonably certain, however, that if our intervention in Cuba had been successful, this would have blocked for many years to come any possibility of reaching an agreement on arms control with Russia. Failure to reach an accommodation on the Berlin issue might, of course, produce the same result.

I would not entirely exclude the possibility of war over Berlin, but to me, it seems more probable that this crisis will be resolved by some uneasy compromise, and that it will not lead to an all-out war. Russia may bring pressure in West Berlin in order to promote any one of a number of her foreign policy objectives, but on the larger issue, the issue of Germany, the true interest of America and Russia is the same. The true interest of both countries is to have Europe politically as stable as possible.

I am convinced that the Berlin issue could be satisfactorily resolved by negotiations, but this conviction is based on the belief that there is something that the Russians want that we should be willing to give them, and that there is something that we want that the Russians should be willing to give us in return.

There are many people who do not share this belief. They hold that the Berlin issue was artificially created by Russia for the purpose of humiliating America, for breaking up NATO, and for converting West Germany into a Communist state.

Many people, perhaps the majority, believe that the Russians are very much like the Nazis; that they have concrete plans

for bringing about, one way or another, our total defeat in Europe, and also for subjugating the whole world to their rule.

Many people have a black and white picture of the world; they believe that the nations fall into two classes: the peace-loving nations, and those who are not peace-loving. America, France, England, and generally speaking our allies, including Germany and Japan, are peace-loving nations. Russia and China are not peace-loving nations. Twenty years ago, the situation was somewhat different: at that time, Russia was a peace-loving nation, but Germany and Japan were not.

Many people believe that ever since the atomic bomb forced the unconditional surrender of Japan, America has unceasingly tried to rid the world of the bomb, and that Russian intransigence, alone, blocked progress in this direction.

When I listen to people who hold such views, I sometimes have the feeling that I have lived through all this before and, in a sense, I have. I was 16 years old when the First World War broke out, and I lived at that time in Hungary. From reading the Hungarian newspapers, it would have appeared that whatever Austria and Germany did was right and whatever England, France, Russia, or America did was wrong. A good case could be made out for this general thesis, in almost every single instance. It would have been quite difficult for me to prove, in any single instance, that the newspapers were wrong, but somehow, it seemed to me unlikely that the two nations, located in the center of Europe, should be invariably right, and that all the other nations should be invariably wrong. History, I reasoned, would hardly operate in such a peculiar fashion, and gradually I was led to conclusions which were diametrically opposed to the views held by the majority of my schoolmates.

Many of my schoolmates regarded me as something of an oracle because I was able to cope with the mysteries of lower arithmetic which baffled them and one of them asked me one day quite early in the war who would lose the war. I said that I didn't know who would lose the war, but that I thought that I knew who ought to lose the war; I thought that Austria and Germany, as well as Russia, ought to lose the war. Since Austria and Germany fought on one side, and Russia on the other side, it was not quite clear how this could happen. The fact is, of course, that it did happen.

I am not telling you this in order to impress you with how bright I am. Nobody at 60 can claim to be as bright as he was at 16, even though in most cases it is not the intelligence that deteriorates, but the character. The point I am trying to make is that even in times of war, you can see current events in their historical perspective, provided that your passion for the truth prevails over your bias in favor of your own nation.

After the First World War, when I lived in Berlin, a distinguished friend of mine, Michael Polanyi, asked me one day what I thought ought to be the rule of human conduct regulating the behavior of an individual in society. “Clearly,” he said, “you cannot simply ask a man to be generous to other people, for if the other people are mean to him, and if he follows your rule, he may starve to death. But,” said Polanyi, “perhaps the rule ought to be ‘Be 1 percent more generous to people than they are to you.’” This should be sufficient, he thought, because if everyone were to follow this rule, the earth would, step by step, turn into a livable place.

I told him that, to my mind, this would not work at all, because if two people behave the same way toward each other, each is bound to think that he is 30 percent more generous than the other. Clearly, the rule would have to allow for this bias. Perhaps

if we were to stipulate as the rule of conduct, “Be 31 percent more generous to the others than they are to you,” such a rule might work.

America and Russia are not following any such rule of conduct. Moreover, their bias greatly exceeds 30 percent.

Most Americans apply a yardstick to America's actions which is very different from the yardstick which they apply to Russia's actions. Whenever their bias in favor of their own nation gets into conflict with the truth, the odds are that the bias will prevail. As a result of this, they are not capable of seeing current events in their historical perspective. They may well realize that we are in trouble, but they cannot correctly diagnose the cause of the trouble and, therefore, they are not in a position to indicate what the right remedy might be.

The people who have sufficient passion for the truth to give the truth a chance to prevail, if it runs counter to their bias, are in a minority. How important is this minority? It is difficult to say at this point, for, at the present time, their influence on governmental decisions is not perceptible.

If you stay in Washington, you may gain some insight into the manner in which governmental decisions come about; you may get a feel of what kind of considerations enter into such decisions, and what kind of pressures are at work.

With President Kennedy, new men moved into the administration. Many of them understand the implications of what is going on and are deeply concerned. But, they are so busy trying to keep the worst things from happening, on a day-to-day basis, that they have no time to develop a consensus on what the right approach would be, from the long-term point of view.

There are also a number of men in Congress, particularly in the Senate, who have insight into what is going on and who are concerned, but mostly they lack the courage of their convictions. They may give a lucid analysis of the trouble in private conversations and then at some point or other they will say: “Of course, I could not say this in public.”

In Washington, wisdom has no chance to prevail at this point.

Last September, Life magazine printed an article about me which said that I was in Washington trying to find out if there was a market for wisdom. Thereupon, I received a flood of letters from colleges and universities inviting me to give lectures. Most people get some pleasure out of hearing themselves talk, and so do I; yet I did not see much point in going around the country giving talks, if all I had to say was that there was no market for wisdom. Therefore, I declined all these invitations; that is, I declined them all, until Brandeis University invited me to attend a special convocation and receive an honorary doctor's degree. At that point, my vanity got the better of me, and I accepted. At Brandeis, I spoke at dinner informally to the trustees and fellows of the university, and this was my closest contact with grassroots since I moved to Washington—if, indeed, you may regard the trustees and fellows of Brandeis as grassroots.

I told them at Brandeis that I thought we were in very serious trouble; people asked me what there was that they could do about it, and I had no answer to give.

Is there, indeed, anything that these people—and for that matter I, myself—could do at this point that would make sense?

When I got back to Washington, I started to think about this, and I believe it will be best now if I simply recite to you how my thoughts developed from this point on.

The first thought that came to my mind was that in cooperation with others, I could try to set up an organization in Washington—a sort of lobby, if you will—which

would bring to Washington, from time to time, scholars and scientists who see current events in their historical perspective. These men would speak with the sweet voice of reason, and our lobby could see to it that they be heard by people inside the administration, and also by the key people in Congress.

The next thing that occurred to me was that these distinguished scholars and scientists would be heard, but that they might not be listened to, if they were not able to deliver votes.

Would they be listened to if they were able to deliver votes?

The minority for which they speak might represent a few percent of the votes, and a few percent of the votes alone would not mean very much. Still, the combination of a few percent of the votes and the sweet voice of reason might turn out to be an effective combination. And if the minority for which these men speak were sufficiently dedicated to stand ready not only to deliver votes, but also to make very substantial campaign contributions, then this minority would be in a position to set up the most powerful lobby that ever hit Washington.

The problem which the bomb poses to the world cannot be solved except by abolishing war, and nothing less will do. But first of all, we must back away from the war to which we have come dangerously close.

Could such a dedicated minority agree not only on the long-term political objectives which need to be pursued in order to abolish war, but also on the immediate political objectives, the objectives which must be pursued in the next couple of years, in order to make the present danger of war recede to the point where attention can be focused on the task of abolishing war?

America cannot be made secure by keeping ahead in an atomic arms race and an agreement providing for arms control is a necessary first step toward abolishing war.

An agreement on arms control does not seem to be, however, around the corner. It might very well be, therefore, that in the immediate future America would have to take certain unilateral steps. Some of the steps would be taken in order to reduce the present danger of war; other steps would be taken so that if a war breaks out, which neither America nor Russia wants, it may be possible to bring hostilities to an end before there is an all-out atomic catastrophe.

Such unilateral steps are not adequate substitutes for negotiated agreements, and they can carry us only part of the way, but still there are some unilateral steps which should be taken at the present time and I propose to discuss at this point what these steps may be.

The issue of bomb tests and the issue of bomb shelters are peripheral issues; they are more the symptoms of the trouble we are in than the cause of the trouble, and I propose to turn now to issues which I believe to be more relevant.

1. Nothing is gained by America's winning meaningless battles in the cold war, and a change of attitude in this regard is urgently needed. Take the International Atomic Energy Agency in Vienna, for instance. This organization has at present no function whatsoever, and if it is maintained in existence at all, it should be maintained as an exercise in cooperation among nations.

The first director of this agency was an American, and his term expired recently. Since, next to America, the Soviet Union is the most important atomic power, America could have proposed that the next director of the agency be a Russian. Instead, America proposed a Swede, who was not acceptable to the Russians, and since America had the votes she was able to win one more victory in a meaningless battle of the cold war.

All this victory accomplished was to reduce the chances of finding some useful function for this agency, because the Rus-

sians resent being pushed around in this agency and there is no way for us to force them to play ball.

I believe that it would be important for the Government to reach a major policy decision, and for the President to issue an Executive order against fighting meaningless battles in the cold war.

We have a cultural exchange program with the Russians but their State Department and our State Department are playing a game of "If you hit our scientists, we shall hit your scientists." Accordingly, our State Department imposes senseless travel restrictions on our Russian colleagues who visit this country. These travel restrictions are not aimed at the safeguarding of any secrets, but are merely a way of hitting back at travel restrictions which the Soviet Government occasionally imposes on American scientists who travel about in Russia.

I believe that representations ought to be made, at as high a level of the administration as is necessary, for the Secretary of State to find some other assignment in the State Department for those who have, up till now, handled the East-West cultural exchange program.

2. I believe that America could and should make unilaterally two crucially important policy decisions and that she should proclaim these decisions.

First of all, America should resolve and proclaim that she would not resort to any strategic bombing of cities or bases of Russia (either by means of atomic bombs or conventional explosives), except if American cities or bases are attacked with bombs, or if there is an unprovoked attack with bombs against one of America's allies.

Further, America should make a second policy decision and should proclaim this decision. In order to understand the meaning and relevance of this second decision, it is necessary to consider the following:

Soon after the war, when Russia did not as yet have any atomic bombs, she proposed that the bomb be outlawed. This could take the form of a unilateral pledge, given by each atomic power, that it would not resort to the use of atomic bombs, either for the purpose of attacking cities or bases, or as a tactical weapon to be used against troops in combat.

Recently, Sulzberger of the New York Times discussed with Khrushchev the possibility of such unilateral pledges, renouncing the use of the bomb. Khrushchev said, on this occasion, that if there were a war, even if at first only conventional weapons were used, subsequently the side which is about to lose the war would find it impossible to abide by its pledge and would resort to the use of the bomb.

This brings out what I believe to be the crux of the issue, that today it might still be possible to resist force with force, but the objective of the use of force must no longer be victory. The objective must only be to make a conquest difficult and expensive.

If force is used then an all-out war, which neither side wants, can be avoided only if both sides recognize that the use of force must not be aimed at victory, or anything approaching victory.

Keeping this point of view in mind, America could and should adopt the policy that, in case of war, if she were to use atomic bombs against troops in combat, she would do so only on her own side of the prewar boundary.

In case of war America would then be bound by a pledge to this effect as long as Russia imposed a similar restraint on her conduct of the war.

Manifestly, this type of use of atomic bombs would be a defensive operation and, moreover, it would be a very effective defensive operation, either on the part of Russia or on the part of America, as long as the restraints remain in effect on both sides.

Such a pledge would be no less clear than the simple pledge renouncing the use of the bomb, but it would be much easier to keep and therefore it would be a more believable pledge. And if neither side aimed at anything approaching victory, then it would substantially reduce the danger of an all-out war.

When I discussed this issue in Germany 3 years ago, people there said that if the ground forces of the Allies were pushed back to the Rhine, and America used atomic bombs against troops in combat between the Rhine and the Oder-Neisse line, many West German cities might be destroyed by American bombs. I do not know to what extent West German cities could be spared by a judicious tactical use of atomic bombs by American forces, but I do know that if America were to use bombs beyond the prewar boundary, West German cities would be destroyed by Russian bombs.

Recently, the United Nations Assembly vetoed with a more than two-thirds majority, 55 against 20, to outlaw the use of atomic bombs in war. The use of atomic bombs in warfare was declared by the Assembly to be a crime and a violation of the United Nations Charter.

Since the machinery of the United Nations was set up for the purpose of maintaining peace among the smaller nations, assuming the cooperation of the great powers to this end, attempts to regard a two-thirds vote of the Assembly as legally binding must necessarily fail. Still the United States must not fly in the face of world opinion and simply disregard the vote of the General Assembly, when a two-thirds vote of the Assembly expresses the legitimate concern of the great majority of the nations that the use of atomic bombs in warfare might lead to a world catastrophe. Rather, out of respect for world opinion and in its own interest, the United States ought to go as far toward complying with it as valid considerations for its own security permit. The restrictions on the use of atomic bombs in case of war which I am advocating are advocated with this end in view.

Western Europe is not inferior to Russia either in manpower or in resources and it would be possible for Western Europe to build up within 5 years conventional forces to the point where it could renounce the use of atomic bombs against troops in combat in case of war. But even this would be to no avail unless the nations involved give up any thought of fighting limited wars for "limited objectives" and resort to force only to make a conquest difficult and, with luck, to prevent it.

As long as there is no agreement providing for arms control, and Russia remains in possession of large stockpiles of bombs, America has no choice but to maintain a strategic atomic striking force. However, it should maintain such a force only as protection against America or her allies being attacked with bombs. The number of bombs retained for this purpose need not be very large, and more important than the number of bombs retained is the invulnerability of the bases from which they would be launched. If these bases are invulnerable, so that no single massive attack against them could substantially damage America's ability to retaliate, then America needs to retain only enough bombs to be able to destroy in retaliation a substantial number of Russia's cities, after giving due notice to permit their orderly evacuation.

It must be made clear, however, that if America adopts the policy here advocated, she thereby renounces the threat of strategic bombing as a general deterrent because she could then make this threat only in case Russia would drop bombs, and drop them on our side of the prewar boundary.

I, personally, do not believe that America would lose much by giving up the threat



of strategic bombing, because the deterrent effect of such a threat is negligible unless the threat is believable.

If America were to threaten to drop bombs on a large number of Russian cities in case of war, knowing full well that Russia would retaliate by dropping bombs on a large number of American cities, such a threat would be tantamount to a threat of murder and suicide. The threat of murder and suicide would not be a believable threat in the context of the so-called Berlin crisis, nor would it be a believable threat in the context of any other similar conflict in which America's rights and interests may be at stake, but not America's existence as a nation.

Those responsible for the planning of strategy in the Department of Defense would concede this much.

According to persistent press reports there is, however, an increasingly influential school of thought in the Department of Defense which holds that, in case of war with Russia, America may engage in strategic bombing, aimed at the destruction of Russian rocket bases and strategic airbases. America would not bomb any of Russia's cities if she can help it, as long as Russia did not bomb any of America's cities.

This school of thought holds that, at present, Russia does not have many long-range rocket bases and strategic airbases, that the location of many of these bases is known, and that most of them are vulnerable and could be destroyed by attacking them with bombs. By building enough long-range solid-fuel rockets (Minutemen) and submarines capable of launching intermediate range solid-fuel rockets (Polaris) America may be able to keep ahead in this game for the next 5 years.

Those who advocate such a policy believe that if America should succeed in knocking out, say, 90 percent of Russia's strategic atomic striking forces, then the Russians would probably speak to us as follows: "We have enough rockets left to destroy a large number of American cities, but we know that if we did this America may retaliate by destroying all of our cities. Therefore, we are going to hold our fire and we propose to negotiate peace. We concede that the power balance has now shifted in America's favor and we are now willing to yield on a number of issues on which we took an inflexible stand prior to the outbreak of hostilities." If this were to happen America would have won a victory even though it may be a victory in a limited sense of the term only.

Naturally if there is a war and America resorts to the bombing of bases in Russia, one could not expect the Russians to sit idly by and watch America picking up step by step one base after another. It follows that America would have to start the strategic bombing of Russian bases with a sudden, massive attack and to try to destroy all vulnerable Russian bases of known location in the first attack.

There are, of course, people in the Department of Defense who have serious doubts that America would actually carry out such a first strike against bases, in case of war, yet they believe that—at the present juncture—it is a good thing to threaten to bomb Russian bases in case of war because this is a more believable threat than the threat of "murder and suicide."

I do not know just how believable this threat is, but I do know that at best we are purchasing an increased restraint on Russia's part for a year or two, and that we are purchasing it at a very high price. For whether we adopt such a strategy or merely give Russia the impression that we have adopted such a strategy, we are provoking an all-out atomic arms race and may within a very few years reach the point of no return, in this regard.

Therefore, I believe that it is imperative to oppose: (a) the adoption of plans which call for a first strike against Russian rocket and strategic air bases in case of war, and (b) the adoption of the policy of "detering" Russia, with the threat that America would resort to such a first strike in case of war. I believe that the rejection of both these policies is an attainable political objective because there is considerable doubt within the administration of the wisdom of these policies.

3. America could and should resolve that atomic bombs and the means suitable for their delivery, which are supplied by her and which are stationed in Europe, shall remain in the hands of American military units which are under American command, rather than be placed under the control of NATO. As long as America is committed to defend Western Europe, there is no valid argument for turning over bombs to the control of other Western European nations.

Germany is going to put increasingly strong pressure on the U.S. Government to turn over such equipment to NATO control, and I would be in favor of balancing any such pressure by bringing domestic political counterpressure to bear on the Government.

America should stand firm in opposing the production of atomic and hydrogen bombs by Germany as well as the production of means suitable for their delivery.

It is conceivable, of course, that all attempts to achieve arms control may fail and that in the end it will not be within the power of the United States to prevent Germany from producing its own bombs and rockets. At about the same time the United States may however also free herself from her commitments to defend Germany against external military intervention. But we are not concerned at this point with developments that may conceivably occur in the unpredictable future.

4. Not every issue can be solved by Congress passing a law, and there are borderline issues where political action alone can bring no solution because the specific knowledge is lacking of how to go about the solution. The issue of general disarmament seems to be such a borderline issue.

I believe that, at the present time, little could be gained by bringing pressure on the administration to enter into formal negotiations with Russia on the issue of general disarmament, because—as they say, "You can lead a horse to the water, but you can't make him drink."

I believe that no substantial progress can be made toward disarmament until Americans and Russians first reach a meeting of the minds on the issue of how the peace may be secured in a disarmed world.

American reluctance to seriously contemplate general disarmament is largely due to uncertainty about this point. If it became clear that a satisfactory solution of this issue is possible, many Americans may come to regard general disarmament as a highly desirable goal.

On the issue of how to secure the peace in a disarmed world, progress could probably be made reasonably fast through nongovernmental discussions among Americans and Russians. I believe that such discussions ought to be arranged through private initiative, but with the blessing of the administration.

The Russians know very well that America is not ready seriously to contemplate general disarmament and this, to my mind, explains why, in spite of being strongly motivated for disarmament, the Russian Government displays in its negotiations on this issue much the same attitude as does the American Government. As far as negotiations on disarmament are concerned, hitherto both Governments have been mainly guided by the public relations aspect rather than by the substantive aspect of the issue.

The Soviet Union's attitude might change overnight, however, if it became apparent that America was becoming seriously interested in disarmament.

The Russians are very much aware of the economic benefits they would derive from disarmament, and I believe that the Soviet Union would be willing to pay a commensurate price for obtaining it. It stands to reason that this should be so for the Soviet Union spends on defense an even larger fraction of her industrial output than America does.

America is at present committed to protect certain territories which are located in the geographical proximity of Russia. In the case of general disarmament, America would not be able to live up to any such commitments. Disarmament would therefore be politically acceptable to America only if it is possible for her to liquidate her present commitments—without too much loss of prestige and without seriously endangering the interests of the other nations involved.

Khrushchev seems to be very much aware of this. Therefore, if it came to serious negotiations on the issue of disarmament, and if it became manifestly necessary to reach a political settlement in order to permit America to liquidate her military commitments, then the Soviet Union might go a long way toward seeking an accommodation.

5. General disarmament may, if we are lucky, eliminate war, but it would not end the rivalry between America and Russia.

It is a foregone conclusion that American efforts toward creating an orderly and livable world will be frustrated in southeast Asia and Africa because of our failure to devise forms of democracy which would be viable in these regions of the world. The task of devising forms of democracy which would be suitable to the needs of such areas is not a task that the Government can handle. Various forms of democracy may have to be devised which are tailor made to fit the various areas. A major private group could tackle and ought to tackle this problem. If it is not solved, more and more underdeveloped nations may become dictatorships; some of them may have a rapid succession of dictator after dictator and, in the end, the people may have to choose between chaos and communism.

It is a foregone conclusion that America's efforts to raise the standard of living of underdeveloped nations may be frustrated in those areas where the birth rate is high, infant mortality is high, and there is little arable land left. Improvement in the standard of living will initially lead to a fall in infant mortality, and if the birth rate remains high, the population will shoot up so rapidly that economic improvements will not be able to catch up.

Our failure to develop biological methods of birth control, suitable for the needs of such areas, is responsible for this state of affairs. The development of such methods is not a task which the Government can undertake. The Government could not create research institutes which would attract scientists who are ingenious and resourceful enough to come up with an adequate solution. A major private group could and should tackle this problem.

If it should turn out that it is possible to formulate a set of political objectives on which reasonable people could generally agree, and if these objectives could count on the all-out support of a sizable and dedicated minority, then I should be impelled to go further, and I would plan to go further along the following lines:

I would ask about 15 distinguished scientists to serve as fellows of a council which might be called Council for Abolishing War or perhaps Council for a Livable World. The fellows (who are all scientists) would elect the board of directors, but membership on

the board would not be restricted to scientists.

This council would, first of all, assemble a panel of political advisers, and then in close consultation with these advisers, it would formulate two sets of objectives. To the first set belong those objectives which cannot be attained at the present time through political action because it would take further inquiry, and perhaps even real research to know, in concrete terms, what needs to be done. To the second set belong those objectives which can be pursued through political action because it is clear what needs to be done.

The fellows of the council would set up a research organization aimed at the pursuit of the first set of objectives, and they would elect the trustees of that organization. The fellows of the council would also set up a political organization aimed at the pursuit of the second set of objectives, and they would elect the board of directors of that organization. Because one of the major functions of the second organization would be to lobby, we may refer to it for our purposes as the lobby.

The council would hold hearings, perhaps one every 4 months, and would subsequently proclaim in detail the immediate political objectives it proposes to advocate. It would communicate these objectives, perhaps in the form of a series of pamphlets, to all those who are believed to be seriously interested. Those who regularly receive the communications of the council would be regarded as members of the movement, if they are willing actively to support at least one of the several specific objectives proclaimed by the council.

It seems to me that there is no need to enlist those who are interested as members of an organization. What one needs to create is not a membership organization, but a movement.

The articulate members of the movement would be expected to discuss the relevant issues with editors of their newspaper and various columnists and other opinion makers in their own community. They would be expected to write to, and in other ways keep in touch with, their Congressman and the two Senators of their own State.

One of the functions of the lobby would be to help the members of the movement clarify their own minds on the political objectives they wish actively to support.

The members of the movement would be regarded as pledged to vote in the primaries as well as in the elections. As far as Federal elections are concerned, they would be pledged to cast their vote, disregarding domestic issues, solely on the issue of war and peace.

The members of the movement would be regarded as pledged annually to spend 2 percent of their income on campaign contributions. The members would be asked to make out a check payable to the recipient of the campaign contribution but to mail that check to the Washington office of the lobby for transmission. In this manner the lobby would be in a position to keep track of the flow of campaign contributions.

Those in high income brackets may be left free to contribute 3 percent after taxes rather than 2 percent before taxes.

All members of the movement would be free to wear an emblem that would identify them as members of the movement, if they wish to do so.

Those who cannot spend 2 percent of their income on campaign contributions may regard themselves as supporters of the movement if they spend either 1 percent of their income or \$100 per year, according to their preference. Such supporters of the movement may receive the advice and guidance of the lobby on the same terms as the members of the movement.

So that each member of the movement may know where his contribution should go, in order to be most effective in furthering the political objectives which he has chosen to pursue, the lobby would keep in touch with each member. The lobby would keep the members informed about the particular contests for seats in Congress which are of interest to the movement; but it may advise one member to take an interest in one of these contests and another member to take an interest in another of these contests.

For covering the operating expenses of the lobby and the research organization (which would be maintained independently from and operated parallel to the lobby), one would look to the members of the movement. Each year a certain group of the members would be asked by the lobby to contribute 2 percent of their income to it, rather than to spend it for political contributions. One year this group might be composed of those whose names start with the letter "C." Another year it might be composed of those whose names start with the letter "R," etc.

The movement must not wield the power that it may possess crudely. People in Washington want to be convinced, they do not want to be bribed or blackmailed. He who gives consistently financial support to certain key Members of Congress may evoke their lasting friendship and may count on their willingness to listen to him as long as he talks sense. He who talks to Members of Congress, but does not talk sense, will not accomplish anything of lasting value, even if he temporarily sweeps some Members of Congress off their feet by making huge political contributions to them.

There are many intelligent men in Congress who have insight into what goes on; the movement could help these men to have the courage of their convictions. There are others in Congress who are not capable of such insight; the only thing to do with them is not to return them to Congress, and to replace them with better men. This may make it necessary to persuade better men to run in the primaries and to stand for election. To find such better men must be one of the main tasks of the movement, and the lobby must be prepared to help members of the movement to perform this task.

I did not come here to enlist any of you in such a movement or to launch such a movement. I came here to invite you to participate in an experiment that would show whether such a movement could be successfully launched.

First of all, I ask each of you to look into your own heart and try to discover whether you yourself would want to participate in a political movement of the kind described, provided the objectives—as formulated from time to time—appeal to you and you thought that the movement could be effective.

Those of you who wish to participate in the experiment are asked to show a copy of this speech to people in your home community who might be interested and to determine who of these would be likely to be part of a dedicated minority that would give all-out support to a movement of the kind I have described.

I would appreciate your writing me, as soon as possible, how many people you have talked to and how many of these and who of these (name and address), you think, could be counted upon.

If the result of this experiment indicates that such a movement could get off the ground, provided it were started in the right way and on a sufficiently large scale, then the Council for Abolishing War would be constituted. Presumably the council would attempt to identify 25,000 individuals who would be willing to make campaign contributions in the amount of 2 percent of their income. Presumably, if the council is

successful in this, the fellows of the council would proceed to establish the lobby.

By the time the movement attains 150,000 members it would presumably represent about \$20 million per year in campaign contributions or \$80 million over a 4-year period.

Whether such a movement could grow further and come to represent not only a decisive amount in campaign contributions but also a significant number of votes, would then presumably depend on the future course of world events.

## DISTORTED ATTACK ON U.S. ARMS CONTROL AND DISARMAMENT AGENCY

Mr. CLARK. Mr. President, the May 15, 1962, issue of the Economic Council Letter was brought to my attention recently. It contained such a grossly distorted and blatantly inaccurate attack on the U.S. Arms Control and Disarmament Agency, that I sent a copy to Mr. Foster, the Agency's Director, for comment. Since other Members of Congress may have seen the letter or received complaint about the Agency from constituents who saw the letter, I ask unanimous consent that the May 15 letter of the Economic Council and the Agency's Council and the Agency's comments on it be printed in the RECORD.

There being no objection, the letter and comments were ordered to be printed in the RECORD, as follows:

U.S. ARMS CONTROL AND  
DISARMAMENT AGENCY,  
Washington, D.C., June 4, 1962.

The Honorable JOSEPH S. CLARK,  
U.S. Senate.

DEAR SENATOR CLARK: This is in reply to your letter of May 21 in which you enclosed Economic Council Letter No. 527, dated May 15, 1962, commenting on the Public Law 87-297, the Arms Control and Disarmament Act. I note that the National Economic Council and its president, Mr. Merwin K. Hart, have consistently written disparagingly of many U.S. institutions and policies. It is not surprising, therefore, that now the council is undertaking to attack the new U.S. Arms Control and Disarmament Agency. While it is not useful to deal with all the inaccuracies contained in the letter, I believe there are some major inaccuracies which should be made the subject of specific comment.

The first criticism made by the letter is a criticism of the powers given to the Director of the Arms Control and Disarmament Agency. The first instance which the letter cites as an exclusive power is: "He may negotiate directly with representatives of other nations, with international organizations, with diplomatic representatives of the United States at home and abroad."

The letter is apparently referring to section 34(a) of the act which provides as follows:

"SEC. 34. Under the direction of the Secretary of State—

"(a) the Director, for the purpose of conducting negotiations concerning arms control and disarmament or for the purpose of exercising any other authority given him by this Act, may (1) consult and communicate with or direct the consultation and communication with representatives of other nations or of international organizations and (2) communicate in the name of the Secretary with diplomatic representatives of the United States in this country and abroad."

I fail to find anything extraordinary in the Congress authorizing an official, who is responsible to the President and the Secretary of State, to conduct negotiations with for-



sign governments. This authority was requested in the draft bill transmitted by the President and was recommended by the Secretary of State in his testimony in support of the bill. The authority contained in this bill was endorsed by the major high officials of the Eisenhower and Truman administrations who had broad experience with disarmament problems. These include former Secretaries of Defense Robert Lovett and Thomas Gates and former Secretary of State Christian Herter. President Eisenhower himself endorsed the need of an expanded effort in the field of arms control and disarmament as is represented by the Arms Control and Disarmament Agency.

To make perfectly clear how U.S. disarmament policy is made I want to stress that all important policies are decided by the President after thorough discussion by a Committee of Principals which consists of the Secretary of State, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the President's National Security Adviser, the President's Science Adviser, the Chairman of the Atomic Energy Commission, the Director of the U.S. Information Agency, and the Director of the U.S. Arms Control and Disarmament Agency.

Furthermore, you will note that the author of the letter failed to note the proviso in section 33 of the act, which reads as follows:

"Sec. 33. The Director is authorized and directed to prepare for the President, the Secretary of State, and the heads of such other Government agencies, as the President may determine, recommendations concerning United States arms control and disarmament policy: *Provided, however,* That no action shall be taken under this or any other law that will obligate the United States to disarm or to reduce or to limit the Armed Forces or armaments of the United States, except pursuant to the treaty making power of the President under the Constitution or unless authorized by further affirmative legislation by the Congress of the United States."

The second objection made by the author of the letter is that the Agency, by executive order, may take over the activities and facilities of the Defense Department, including records, property, civilian personnel, and funds. The author of the letter instructs anyone who doubts this to read section 47 of the law. The letter goes on to state, however, that although the Congress might, within 60 days, prevent any such transfer, this provision could be evaded by a transfer ordered when Congress was not in session. Here I believe that the author of the letter should have followed his own advice and read section 47 of the law because 47(b) expressly provides that "No transfer shall be made under this subsection until (1) a full and complete report concerning the nature and effect of such proposed transfer has been transmitted by the President to the Congress, and (2) the first period of 60 calendar days of regular session of the Congress following the date of such report by the Congress has expired without adoption by either House of the Congress of a resolution stating that such House does not favor such transfer. The procedures prescribed in title II of the Reorganization Act of 1949 shall apply to any such resolution." In other words, the statement that such a transfer could be made effective when Congress was not in session is a plain misstatement.

The author of the letter apparently finds objectionable the fact that a disarmament agreement which might be negotiated for presentation to the Senate might include provision for the "elimination of our Army, Navy, and Air Force," and for "the establishment of a United Nations Force." The author's description of such a disarmament agreement is completely in error and has no relationship to anything contemplated by the U.S. Government when he writes: "All that would be left to the people of the United

States would be the world police force," and the people of the United States would have "their personal rifles, shotguns, and revolvers, on which free people depend, in the last analysis, for their defense against tyranny. . . . first registered and then seized." In the first place, the U.S. disarmament plan has proposed no such seizure of small arms. In the second place, if freedom could be guaranteed against tyranny by the sole existence of rifles, shotguns, and revolvers, then today the people of Hungary, of East Germany, of Poland, and of other countries would be free. They had such weapons, but the Soviets had tanks, missiles, aircraft, and submarines. These are some of the weapons the Soviet Union has used to suppress freedom. The U.S. disarmament policy is directed toward finding means for achieving peaceful settlement of differences rather than through the use of such arms.

The Economic Council letter does not grasp at all the purpose of a disarmament policy. It does not understand that behind such a policy is the effort to remove the likelihood of a destructive and catastrophic war engulfing the world and destroying our civilization. The author of the letter would have his readers think that only U.S. weapons were being reduced, whereas the program is directed at removing force and aggression as the tools of Soviet states. As the weapons of the Soviet Union and the United States are reduced, and whether the Soviet Union will let us inspect its territory to verify that they have been reduced is still a great obstacle to agreement, the United States contemplates the strengthening of the United Nations. It is firm U.S. policy to work for the use of law rather than force as the major means by which disputes can be settled and this is where the United Nations and its various subsidiary agencies have helped to prevent and stop aggression. Any United Nations peace force established would only be established after the United States, including two-thirds of the U.S. Senate, had been satisfied that the political control over such a force in no way jeopardized our national security.

The author of this letter completely overlooks the emphasis which is placed upon the reduction and elimination of those arms which are aimed at the United States by our potential enemies. The adoption of such an attitude would not help the security of the United States; it would put it in greater jeopardy. As President Kennedy said in his United Nations address last fall:

"Today, every inhabitant of this planet must contemplate the day when this planet may no longer be habitable. Every man, woman, and child lives under a nuclear sword of Damocles, hanging by the slenderest of threads, capable of being cut at any moment by accident or miscalculation or by madness. The weapons of war must be abolished before they abolish us."

"Men no longer debate whether armaments are a symptom or a cause of tension. The mere existence of modern weapons—10 million times more powerful than anything the world has ever seen, and only minutes away from any target on earth—is a source of horror, and discord, and distrust. Men no longer maintain that disarmament must await the settlement of all disputes, for disarmament must be a part of any permanent settlement. And men no longer pretend that the quest for disarmament is a sign of weakness—for in a spiraling arms race, a nation's security may well be shrinking even as its arms increase."

Sincerely yours,

WILLIAM C. FOSTER.

[From the Economic Council Letter, May 15, 1962]

#### WHAT GOES ON HERE?

On September 26, 1961, an act to establish a U.S. Arms Control and Disarmament Agen-

cy was signed into law (Public Law 87-297) by the President. The National Economic Council was one of the first to write about this in council letter No. 512, October 1, 1961.

If there is a more dangerous law on the statute books, the National Economic Council is unaware of it. It should be repealed forthwith.

Because the law covers more than 8 pages and its provisions are set forth in legal verbiage, requiring puzzling out by the average mind, its dangerous implications are not readily grasped. Perhaps many of the Senators and Representatives voting for the act did not fully see its potentials.

The Director of this Disarmament Agency, under the direction of the Secretary of State, is clothed with enormous and unprecedented powers, which may be augmented by Executive orders.

He may negotiate directly with representatives of other nations, with international organizations, with diplomatic representatives of the United States at home and abroad.

The Agency, by Executive order, may take over the activities and facilities of the Defense Department, including records, property, civilian personnel, and funds. You doubt this? Read section 47 of the law.

While it is true that Congress may, within 60 days, exercise its veto power on certain acts of the Agency, it is possible that transfers may be ordered while Congress is not in session. The law must be read and studied before its full significance can be comprehended. For example, the law defines the terms "arms control" and "disarmament" as meaning "the identification, verification, inspection, limitation, control, reduction, or elimination of Armed Forces and armaments of all kinds." During the debate in the House an endeavor was made to strike out the word "elimination," as its inclusion could result in the United States being left without any Armed Force whatever. The endeavor failed (80 noes, 52 ayes). Where were the rest of the Members?

In short, the Agency may well be called, in the words of Representative ASHBROOK, of Ohio, the surrender agency. In its potentials, it permits the signing away of some of our essential sovereign rights, it authorizes the transfer of our atomic energy plants, it permits the elimination of our Army, Navy, and Air Force, it envisages the establishment of a United Nations Peace Force, it points, of course, to vast unemployment and consequent depression, coupled with the toughest of reemployment problems.

The very existence of this Agency calls loudly for every citizen to use all possible legitimate means to induce his Congressman and two Senators to go about wiping this ill-conceived law from the statute books, if we are to remain a free and sovereign people. It's as important as that.

Under this act the people of the United States could be completely disarmed. Their Army, Navy, and Air Force could be taken from them. Their personal rifles, shotguns, and revolvers, on which free people depend, in the last analysis, for their defense against tyranny, would be first registered and then seized.

All that would be left to the people of the United States would be the world police force. But that police force would be directed by the United Nations. The Congress and the legislatures of the States—indeed, the President of the United States himself—would have no say in the matter.

And the United Nations would not leave its interests in the United States to American police, for such police units might side with American citizens. The police units stationed in the United States would be made up from other countries, say, from Russia, Red China, India, Cuba, the Congo, and Ghana. How will you like that, Mr. and Mrs. American Citizen and American boy and

girl? But once this situation comes it will make no difference whether you like it or not. It will be fastened on you. And your children's children will exist under it.

So the time to act is now. The time to get mass action is on Independence Day—on July 4 next. The Arms Control and Disarmament Act must be repealed. Write to Theodore Jackman, Post Office Box 9517, St. Petersburg, Fla., sending 15 cents for one copy of his broadside, containing much information. Send \$1 and get seven copies. Call a small meeting of thoughtful citizens of your community and plan to take action. What action? It will come to you when you read this broadside.

Incidentally, you will note from this broadside whether your Congressman and your two Senators voted for or against this act. If against, ask one of them to be the speaker at a public meeting; if for, ask some other strong public man to speak.

Every candidate for either House of Congress from your district or State must know how you feel.

This disarmament act must be repealed.

### CONTEST WITHOUT WAR

Mr. CLARK. Mr. President, William Ernest Hocking, Alford professor emeritus of philosophy, Harvard University, has sent to me a remarkable paper he has written entitled "Footholds: Toward a World Order Allowing Contest Without War." With his permission I should like to share his writing with readers of the CONGRESSIONAL RECORD, I ask unanimous consent that Professor Hocking's paper and the covering letter which he wrote to me be printed in the RECORD.

There being no objection, the article and letter were ordered to be printed in the RECORD, as follows:

MADISON, N.H.,  
April 30, 1962.

HON. JOSEPH S. CLARK,  
Senator From Pennsylvania,  
Washington, D.C.

DEAR SENATOR CLARK: You have been calling for fresh and constructive thinking about ways to achieve peace. You have stated eight premises, and mentioned certain areas for discussion. You have spoken of the climate of opinion in this country as needing improvement.

In my judgment, you are sounding just the right note. And what is needed is not a mass of technical literature, but a very plain grouping of the judgments on which a way out of the intricacies over which we could stumble into a meaningless war can be shown. This I have tried to do, and I submit it as a partial response to your call.

Yours very truly,

WILLIAM E. HOCKING.

FOOTHOLDS

(By W. E. Hocking)

PREFACE

Raison d'être

Civilized humanity is today drifting toward a war which no one wants and no one could win.

One might comment on the absurdity of this situation, if it were not a threat of the utmost tragedy; the most powerful civilization the world has known, powerful in mental command and technical equipment, devoid of a clear plan for escaping self-destruction.

Why?

The root trouble—I risk the assertion—is in the morals of our high mentality—our willingness to assume that we know what the war, if it came, would be about, when

in fact we do not know. And we lack the moral force to face our confusion and fight our way through to truth. There is no issue which a war could settle.

We know well enough the names of the opposing parties, their banners, their slogans—compact names for opposing beliefs in economy, politics, philosophy—and we assume that we know the world purpose of our opponent as involving our own compulsory acceptance of his ideology. Refusing this putative compulsion, in the name of liberty versus dictatorship, we think we have a sufficient *casus belli*.

We are uneasily aware that party names and banners have to be compact common coin; that actual issues are thus oversimplified. We are somewhat less on our guard as to the need that a banner adopt an ideal as a party perquisite, an object of exclusive virtue and loyalty; these banner labels cannot stop to note the limiting conditions of validity (as of liberty unlimited) nor to confess sheltered self-interests snuggling under the flag of the ideal. Each moves toward presenting its case to the world, and incidentally to itself, as the all good versus the all evil. Such a situation, if it were actual, would still hardly condone a war of annihilation, though it might ease the concept: but to believe it actual requires an abeyance of thought.

The chief source, however, of our present confusion is elsewhere. There is, indeed, a conflict of ideologies; but with that, a conflict of cliques and methods, the tactics by which the opposing groups undertake to put their ideologies into effect. The word "communism" has in many quarters almost lost interest as a type of social-economic organization, coming to stand primarily for a certain strategy of expansion which offends our principles of fairplay. We disapprove of the ideology, but we are not proposing to settle accounts with it by war; what we propose to fight is "the gang" and its methods.

We confuse our thinking by the assumption that communism is identified with this method of advancing its cause. With a moment's reflection we recall that the association is historical, not intrinsic. Communism appears in this century as a party of revolution, inheriting the ethic of an uphill fight, confronting not a ballot-box rejection but an avowed will to destroy the movement root and branch. As a matter of life and death, a revolutionary party is likely to reply with all the methods of political realism, of cunning, cruelty, deceit. It attempts to enforce acceptance of its ideology, creating by terror a false unanimity of opinion; it demands the obsequious services of artists and men of letters; it resorts at need to banishment and assassination. It creates, in brief, the police state, as long as its own survival is threatened by an opponent whom it regards as equally unprincipled and far more hypocritical.

In our abhorrence of these methods, we incline to treat communism as a block-phenomenon whose ideology is completely disposed of, for all decent citizens, by the procedures of its advance, supported by its theory of class war, and its appeal to revolution in its own classics.

For us of today, the strife we have to deal with is thus twofold: it is a conflict of ideologies; but it is also a conflict of the groups or "gangs" and their modes of action, their principles or lack of principle.

And the current attempts to deal with this strife fall into two classes showing different types of futility. There are those who argue it out with the contrasting ideologies, as if they were the whole issue, easing the whole picture into an academic frame, as in a Platonic dialogue. And there are those who deal solely with the gangs-and-methods, assuming the crimes of revolution inherent in the ideology, and condemning in advance anyone who so much as lends an ear to the

reprobate point of view. Both of these attempts, I say, are futile. But the second, closing in advance any possibility of cure, is incapable of recognizing actualities. Erich Fromm rightly calls this temper pathological.

I shall follow neither of these programs. I shall begin with the ideologies-in-action, developing their own self-criticism through experience. I shall then propose a method of interaction which can supplant the distemper of the revolutionary upsurge, a way to contest without war.

But this effort, as of today, must not involve another learned treatise, another opportunity for confusion. The immediate need is for a wide and general clarity, a singling out of the underlying simplicities, the grounds of necessary agreement which underlie every actual contest, and a method of workout for the residual and very real issues, a method compatible with world order.

I shall here try to outline those few commonsense footholds, practically self-evident, which can provide an arena for orderly contest and judgment.

WILLIAM ERNEST HOCKING.

APRIL 30, 1962.

### FOOTHOLDS TOWARD A WORLD ORDER ALLOWING CONTEST WITHOUT WAR

I. Every ideology, when put into practice on a national scale, is changed by experience.

This holds good whether or not such changes are acknowledged by authorities committed to an orthodoxy. For experience—as distinct from outside criticism—brings about one's own discovery of faulty premises, or of faulty apprehension of the ideas involved, and so initiates the process of self-correction.

(Self-correction is at the basis of that type of change or development of ideas sometimes called "dialectic").

II. As a result, there is in the world today, on a national scale, no pure communism and no pure capitalism.

The U.S.S.R. economy approaches a state capitalism—as all industrializing involves a conservative accumulation of capital and a study of personal incentive. The U.S. economy, with graduated income tax, New Deal legislation, compulsory contribution to "social security" \* \* \* approaches in various respects a "welfare state."

In brief, all working economies are "mixed economies"; the originally hostile ideologies, without losing contrast of principle, tend to converge, a most striking history of unintended rapprochement.

III. In view of this convergence, pure hostility—the all-good-versus-all-evil attitude—is no longer even intelligent.

Pure evil, if we can find it, deserves no toleration, still less appeasement; all that is decent in us revolts against compromising with corruption for the sake of peace. But the will to find pure evil—indulging the luxury of condemnation—may be equally vicious. No great power can today intelligently devote itself to the political extinction of its ideological opponent, engaged as that opponent must be—and verifiably is—in the inexorable process of learning from experience.

The alternative, accepted coexistence, experimental and competitive, becomes the rational basis of policy, at the moment when it has become the necessary basis, since nuclear war has become an intolerable resort, an uncivilized threat.

The ideal of requiring unconditional surrender, implied by the demand to push the cold war to the point of victory, thus calling out the maximum of fear and disposition to preventive attack, involves the maximum of fallacy, and of provocation—a perfect example of the Roman adage, *optima corrupta pessima*, "the corruption of the best becomes the worst." (*summa jus summa injuria*).



IV. It follows at once, in direct challenge to current assumptions—that no great power can, in sober realism, entertain the goal of world conquest.

This goal is radically different from the "world revolution" of traditional Marxian eschatology, a proletarian overturn from within. But the vision of world-sway still animates the expensive urge of Communist policy—legitimate enough, provided the means used are open competitive persuasions rather than force or fraud. The myth of world triumph is the normal utopia of every warmly held political ideal; the nature of that vision excludes the notion of military conquest as a fit means for making an ideal prevail.

But my present point—in full view of the enormous military preparations on both sides, and also of the catch-as-catch-can methods of Communist advance—is that no great power, thinking through the actual position of a world conqueror, can in sober realism want it. The facts of experimental change, just reviewed, undermine the conviction of finality essential to the intent of world conquest. And, in addition, the following considerations make themselves felt:

The problem of administration on a world scale presents obstacles no government is prepared to meet. It suffices to imagine the U.S.S.R. undertaking to administer the United States, whether before or after a nuclear holocaust.

The self-interest of each competitor, during the experimental period, calls for the continuing existence of its opposite number, as a source of critical ideas and techniques. Obviously, the conquest of either competitor by the other would at once terminate the competition, with its independent experiments. But further, the actual lively concern for scientific, technical, cultural exchange implies that neither opponent wishes the elimination of the other.

And since in the present confrontation, world conquest means the destruction of one competitor, the play of brinkmanship, indulged in by both, holds itself carefully from actual explosion, even if destruction were not self-destruction: the play is permeated with a pathological insincerity. The "aim at world conquest" is a synthetic nightmare.

V. Once the sham of world conquest is disposed of, the vicious circle of the arms race is potentially broken.

That circle I have elsewhere formulated as follows: communism must be destroyed, because, for communism, capitalism must be destroyed. And for communism, capitalism must be destroyed, because, for capitalism, communism must be destroyed.<sup>1</sup>

Both premises now disappear. The arms race becomes an intolerable masquerade.

In point of fact, the perilous poise of complete readiness to strike, without striking, indicates the presence of an effective inhibition toward authorship of mass ruin: let us say a factor within the psychological reality of a will-not-to-destroy, to that extent, however subordinate, an element of world peace in action.

And the presence of this fragmentary motive contains the promise of the possibility of world law. The hope for a working international law, rendered difficult by the absence of a common world-custom, world-tradition—the historical background which Savigny rightly demands for an effective code—has led to the assumption that international law can be excogitated from general ethical principles, and that we can thus gain "World Peace Through World Law." But law can have no hold on minds not moved by the dignity as well as the fragility of the civilization so far achieved on both sides of the line. We must rather reach world law through world peace. And of that peace, we have a glimpse in this inhibition,

which implies common agreement on co-existence and the conditions of intercourse and experiment.

VI. The cancellation of world conquest as an objective calls for an affirmative technique for advance beyond the stage of denunciatory confrontation. Coexistence implies not only the right to carry on the ideological experiment, each for itself, but a mutual interest in the progress of each experiment: the experiment is by each party, but it is for mankind.

A state of cultural tension has been historically a frequent perhaps normal, condition of thinking humanity (though never before has such tension enjoyed the advantage of such clear-cut ideological definition, extended more or less vaguely to the thinking masses). The outcome of such tensions has frequently been a synthesis, a union of opposing ideas—with correction—more significant than either alone.<sup>2</sup> The dialectical self-corrections of experience frequently result in unintended syntheses: our "mixed economies" are cases in point, in effect tentative syntheses; so also the set of principles proposed by Sun Yat Sen in his San Min Chu I, now honored alike by Mao Tse-tung's China and a new postage stamp issued by Uncle Sam, none less. But syntheses cannot be aimed at; they must arrive as hypotheses, subject to the test of experience. And they imply an intimate acquaintance by each of the experiment of the other.

The most effective and available instruments of advance are exchanges in the personnel of the sciences and arts, and conferences across boundaries.

VII. For significant experiment in the field of the existing opposition of ideologies, there are certain postulates to be observed.

We note that the opposition is not simply economic: it affects the entire area of human life—politics, ethics, the meaning of history, law, religion, the liberty of the arts—an ideology is a composite social directive, with its own uniting esprit de corps. And obviously, deliberate experiment on a national scale, and in full view of other nations, is not feasible over this whole range. Obviously, also, it will involve the political arm.

Recalling that a nation, by its nature, is an experiment in lawmaking, an individual experiment having its own flavor, the political arm may fairly undertake experimental alterations in the national institutions, subject to these conditions:

a. Imposing ideas, beliefs, sentiments by political power is a self-defeating enterprise, at once a violation of human dignity and an insured futility. It is the chronic illusion of political power that it can compel belief.

b. The state may, however, undertake experiments in the field of overt action; and an experiment requires unanimity of action pro tempore, within the implied behavior; and with the possibility that the experience may induce changes of opinion. (The attempt to regulate agriculture is a case in point, in which the political arm itself may have something to learn.)

c. Divergent experiments on opposite sides, pertinent to the present conflict, must have as one aim, to determine the area of necessary agreement, with the understanding that no opposition can be total.

VIII. The sciences have become the natural center of this technique of exchange and conference across boundaries. For here the necessary agreements are most obvious and most central. The instruments of all social action, whether of economy or war, depend for their success on a valid scientific groundwork; and the radical advances in the physical sciences connected with the names of Max Planck, Niels Bohr, Lorentz, Einstein,

have compelled all human techniques of contention to come to unity on their terms.<sup>3</sup>

There was at one time an official Soviet psychology (centered on Pavlov) and an official Soviet biology (Lysenko). But the compulsions of the competition itself have established unity of technique in these fields. Joint conferences, such as those begun at Pugwash, tend to extend this area. The techniques underlying industry, and involving property, yield agreement less readily, but the yield (as in agriculture, in which U.S.S.R. has often welcomed the sharing of methods, from the time of the early efforts in dryfarming to the recent exchanges on the arts of raising corn).

Though an ideology is in one sense a philosophy, and an area of necessary agreement in philosophy would be most effective, rapprochement is here most difficult; and yet also visible, as when "dialectical materialism," strongly disturbed by new concepts of matter, considers whether matter is "autodynamic." Conferences between philosophers, across boundaries, are under consideration, not with the idea of eliminating differences, but with the idea of defining them.

IX. Experimental mixtures of the commune-and-authoritative with the individualist-and-free will not be limited to the major contestants. They must be in order in wide variety, and under a wide range of political backgrounds.

Hence the notion of throwing around the Western Hemisphere a cordon sanitaire from which Socialist ingredients are to be excluded becomes incongruous. Monroe Doctrines are not qualified to exclude ideas, nor experiments with ideas.

Nor can the United States in accord with its own professions impose its system on others, whether affirmatively or by ostracizing its counterpart. Nor can it limit their liberty to undertake experiments of their own choice, assuming that the choice is genuinely their own, and not in turn imposed from outside.

Further, with the vanishing of the shooting-war relation between the opposing types of order, there arises a question whether the proportion of the authoritarian to the individualist may be a function of the stage of development in which a given community stands, rather than an absolute ideal for all states.

X. The ultimate, and most effective, foothold remains to be stated.

The central difficulty in all diplomacy is the problem of the motivation of the opponent. The most reasonable of proposed settlements may be hopeless because of the factors of suspicion and hostility on one side or both. It is almost a fixed habit of the professional diplomat to assume that the motivation of his opponent is a fixed quantity: he represents "the enemy," period.

For any emergence from the present impasse, the indispensable postulate is that the motives of opponents are capable of change in view of the necessary interests, hence agreements, of human beings. The one hopeless foreign policy is that which demands victory over an opponent assumed unchangeably perverse. It is devoid of the one quality capable of effect, the power and will to remake the motives of the antagonist, by way of certitudes necessarily universal, but capable of being invoked only by one who himself is aware of them, ceasing to be the diplomat and becoming for the moment the plain human being with the full sense of good-and-evil as the core of everyman's consciousness, immediately shareable. (And particularly with a willingness to admit the errors of one's own past

<sup>1</sup> Cf. Henry A. Murray's important discussion in *Daedalus*, summer 1961, p. 556 ff., under the heading "Unprecedented Evolutions."

<sup>2</sup> Cf. the series of "Studies in Soviet Thought" published by D. Reidel Publishing Co. of Dordrecht, for the University of Fribourg, Switzerland.

<sup>3</sup> Strength of Men and Nations," 128, 182 f.

misdirected hostilities.) (The "Spirit of Camp David" was no illusion; while it lasted it contained the possibility of changing history.)

On the basis of such shared certitudes creative risks can be taken including the risk attending unilateral rejection of nuclear tests—not otherwise. This means that the ultimate power in the field of foreign policy must be personal, and find its place in person-to-person encounter. The ultimate effort is to change motives, so that rational coexistence becomes possible; and that effort must never be surrendered.

Mr. MANSFIELD. Mr. President, is there further morning business?

The VICE PRESIDENT. Is there further morning business? If not, morning business is concluded.

#### PEACE CORPS IN TANGANYIKA

Mr. HUMPHREY. Mr. President, I noticed in yesterday's Washington Post a two-paragraph story that indicated a considerable amount of criticism in Tanganyika, Africa, relating to the Peace Corps. I am happy to report this morning that I have a letter from the Director of the Peace Corps, Robert Shriver, which reads as follows:

DEAR SENATOR HUMPHREY: You probably saw the attached two-paragraph story in today's Washington Post. I think you will be interested in seeing the full Reuters dispatch which the Post did not carry.

I am also attaching some additional material which may interest you. It underscores the fine reception the Peace Corps has received in Tanganyika. In fact, ministers of the Government of Tanganyika have asked us to send approximately 75 additional volunteers, of which the Peace Corps has agreed to supply 30 nurses and 2 lab technicians this year.

The two paragraphs in the Post this morning gave a completely distorted picture of the situation in Tanganyika, and I wanted you to have the complete story.

Sincerely,

ROBERT SARGENT SHRIVER, Jr.,  
Director.

I ask unanimous consent that the two-paragraph story of June 12 in the Washington Post be printed in the RECORD at this point, together with the Reuters dispatches from Dar es Salaam, Tanganyika, dated June 12, an article from the Baltimore Sun of Friday, May 18, and another story from Tanganyika, dated June 6, by W. D. Friedenberg, of the Scripps-Howard newspapers.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 12, 1962]

#### PEACE CORPS HIT IN TANGANYIKA

DAR ES SALAAM, TANGANYIKA, June 11.—A vitriolic attack on the U.S. Peace Corps was made here today during a budget debate in Parliament.

John Mwakangale, regional commissioner in the Southern Highlands region, said Peace Corps members are "undermining the Tanganyika Government" and that "wherever they are stationed trouble starts."

DAR ES SALAAM, TANGANYIKA, June 12.—Prime Minister R. M. Kawawa defended the Peace Corps last night against a legislator's charges that the young Americans were stirring up trouble in Tanganyika.

The east African leader told Parliament he had challenged John Mwakangale to back up his charges with evidence but the National Assemblyman could not do so.

Several other Government Ministers rose to the defense of the Peace Corps volunteers. One emphasized the Americans had been officially invited to the country.

Mwakangale, who represents the Mbeya district in southern Tanganyika and is Government agent for the region, had complained that there were three Peace Corps workers in his area but none had come to see him.

"Wherever they are, we always hear of trouble," he declared. "You hear of people trying to overthrow the Government. These people are not here for peace. They are here for trouble."

Kawawa accused Mwakangale of "irresponsible speech."

[From the Baltimore Sun, May 18, 1962]

#### PEACE CORPS LIFE RUGGED

(By Joseph R. L. Sterne)

DAR ES SALAAM, TANGANYIKA, May 17.—Wading hipdeep in swamps with hippos snorting behind a curtain of tall grass, riding the Kilombero River in a dugout canoe, palavering with tribal chiefs at sunset after a long day on safari, sleeping under thatched-roofed shelters, getting up in the morning to find a crowd of natives wanting to join the hike because there is safety in numbers in elephant country.

Such is the rugged outdoor life that enlistment in the Peace Corps has brought to two young Americans.

As members of the 35-man team of engineers, surveyors, and geologists who arrived in Tanganyika last September, 22-year-old Thomas Katus, of McIntosh, S. Dak., and 24-year-old Jerry Parson, of Albany, N.Y., are ready, henceforth, to take President Kennedy at his word.

Unlike some Peace Corps teachers in West Africa who have found life comparatively soft, the Tanganyika group has encountered the very hardships Mr. Kennedy talked about when he called for volunteers soon after his inauguration.

#### FLOODED TRAILS

Two surveyors spent 6 weeks straight in the bush country near the Ruanda-Urundi border. Katus and Parson have gone on several 80-mile hikes along flooded trails. One volunteer, a Japanese-American named Allen Tamura, spent so much time with the Wogogo tribe that he will become an honorary member when the chief gets around to killing a goat.

Yet, for all these challenges not a single man has wanted out. Going quietly about their job in helping with Tanganyika's \$2,500,000 feeder-road program, they have earned the quiet gratitude of this country's newly independent government. Not a single disagreeable incident has occurred. Prime Minister Rashidi Kawawa, when asked his verdict on the Peace Corps effort, said the volunteers here have "done a very good job mixing with the people and encouraging self-help measures."

"We hope to get more of them," he remarked.

#### MORE HELP MAY COME

According to Tanganyikan sources, more help may in fact be on the way later this year. The Government has asked for 30 nurses, 25 experts in land development, and 15 more surveyors and water specialists.

Skilled personnel of this nature is needed because many British civil servants are leaving the country and there are few trained Africans to take their place. In addition, Government services are expanding.

The Tanganyika Peace Corps group, under the leadership of E. Robert Helliawell, a Cleveland attorney, took preliminary training at Texas Western College in El Paso and in Puerto Rico before coming to Africa. Of an original 50-man contingent, 15 were weeded out or withdrew voluntarily.

Those who made the grade received 7 weeks of intensive instruction in Swahili after their arrival in Tanganyika, then reported for their assignments to scattered towns named Njombe Mtwara and Bukoba, Tabora, Dodoma and Morogoro.

As representative members of the group, Katus and Parson had understandable reasons for joining the Peace Corps.

Parson, a young Negro, said "he wanted to know Africa and help people." "I was tired of doing the job I was doing (materials testing for the State of New York) and not doing anything for anyone else."

Katus, a one-time engineering aspirant who is switching to political science, said he felt "the Peace Corps was a damn good idea in our foreign policy for a change." In between safaris he is taking correspondence courses from the University of Minnesota and may try for the Foreign Service.

Both young men have no regrets that they volunteered, but both feel they will have had enough when their tour of duty ends in July 1963.

Like most other members of the Peace Corps here, Parson and Katus have had bouts of dysentery, a predictable disease for newcomers to the bush. They also have learned to be amateur doctors, dispensing medicines to villagers along their line of march.

#### MAKING SURVEYS

Working out of Morogoro, the two volunteers are making preliminary surveys of a trail that is periodically washed out in rainy season.

It will be their task to move the narrow road to higher ground, build culverts over streams cascading into the river and erect simple bridges that can withstand flood pressures. The aim is to make the route passable in all weather so African villagers can get to market to sell their crops and buy supplies.

The Peace Corps effort is but a small part of the large American aid program taking shape here in Tanganyika.

Under the aegis of the Agency for International Development, 74 secondary school teachers are at work and another 61 will come next year. American specialists are assisting in community development, Africanization of the civil service and the establishment of an agriculture school and a teacher training college.

Moreover, Washington has agreed to underwrite a \$10 million loan for Tanganyika's 3-year development plan and is rushing relief under the food-for-peace program for villagers isolated by the flooding Rufiji River.

The U.S. program, though not as large as the aid Britain is giving its former trust territory, is one of the key props in Tanganyika's economic planning.

#### TAKES TIME

Economic development, however, takes time as well as money. Planning is hard enough in an underdeveloped country, but carrythrough presents even greater problems. So far, for example, Tanganyika has not been able to launch a single project that will be financed from the loan funds.

For this reason, the Peace Corps has special appeal at this stage in the country's history.

In teaching health, engineering and agriculture, Tanganyika has many skilled and semiskilled jobs to be filled and a surplus of mundane but necessary tasks to be performed without long months of preparation.

One senior British official, who confessed he was skeptical about the Peace Corps when it was first announced, said he had changed his views "180 degrees."

"I take it all back," he smiled. "We have a dozen lads out here now on a Peace Corps type of program and I hope we send many more. It's good for the youngsters, and it's very helpful to Tanganyika."



(By W. D. Friedenberg)

**MBEYA, TANGANYIKA, June 6.**—A good Peace Corps man nowadays in Tanganyika is hard to find.

They are good, all right. Tanganyika's energetic little Prime Minister Rashidi Kawawa says enthusiastically "They're very good, very helpful. We wish we had more."

The reason they are hard to find is that they are scattered all over the country, out in the bush, doing their job—mainly helping lay out feeder roads in the most remote parts of the land.

The last place to look is in the modest Peace Corps office in the capital city of Dar es Salaam. There is an English secretary holding the fort, but the 35 Peace Corps volunteers themselves are off in Mwanza, Njombe, Morogoro, Mbeya, or some other place you, or they, never heard of before.

Now halfway through their 2-year tour, they have not transformed the face of the countryside, but they have made a few much appreciated nicks in Tanganyika's enormous ground communications problem.

The problem is that this undeveloped country of 360,000 square miles has only 3,500 miles of main roads and 10,000 miles of district roads—dirt, for all but a few hundred miles.

More through routes are needed. But needed even more are bush-country feeder roads to enable farmers to move their corn, cotton and livestock to market, to encourage forestry, mining and transport, and permit Government health, education and information services to penetrate communities now in near isolation.

To survey these feeder roads, there are simply not enough leftover British civil engineers, and the Africans who will someday replace them have not yet been produced in sufficient numbers. This is where the Peace Corps volunteers come in—and go out into the bush.

Here in the mountainous southwest corner of Tanganyika, our man in Mbeya, a town of 5,000, is Rodger Stewart, 22, of Pittsburgh, who took leave from Lehigh University after his junior year to join the Corps. (Note, Pittsburgh: Stewart is son of Mr. and Mrs. Howard B. Stewart of 513 Emerson.)

After 7 weeks of orientation and Swahili study in Arusha, he came here. "I'm working with two African assistants, and a crew," Stewart said. "So far we've aligned a bunch of feeder roads, and built a little three-room courthouse. Now I'm doing the drawings for a 100-foot bridge."

"I think I'm learning a lot, and I'm having a good time"—and, he admits, when pressed, "Yes, I guess I'm helping out, too."

Most of Stewart's time is spent camping out, traveling around by jeep and foot. He is in town rarely, and is even saving some of his \$168 monthly salary.

The Peace Corps takes care of him well. There is a doctor, John King, 26, of Norfolk, Va., who travels around looking after volunteers' ailments. And the Corps sends a weekly newspaper from the States.

One disappointment is that there is relatively little afterwork camaraderie between Peace Corps volunteers and their African workmates. The educational gap is usually pretty wide and in many cases, the general feeling is that talking about the work at hand seems to exhaust the conversational possibilities.

But American-African relations appear to be good—as indeed are United States-Tanganyikan relations. Prudently, the United States is not overpublicizing the Peace Corps, thus making it a blatant political tool, and this makes the Peace Corps work all the more acceptable, appreciated and perhaps successful.

Clearly, Tanganyika would like to have more Peace Corps volunteers after this group goes home.

**Mr. HUMPHREY.** Mr. President, these particular stories give a true picture of what is really happening in reference to the Tanganyikan reception of the Peace Corps.

I also noticed in the paper, as I was reading the morning press, a further story relating to the reception of the Peace Corps personnel in Tanganyika, stating as follows: "Tanganyikans Defend Peace Corps." This story is from the news dispatches from Dar es Salaam, Tanganyika, June 12, and reads as follows:

Premier R. M. Kawawa defended the Peace Corps last night against a legislator's charge that the young Americans were stirring up trouble in Tanganyika.

The Tanganyikan Premier told Parliament he had challenged John Mwakangale to back up his charges with evidence but the national assemblyman could not do so.

Several other Government ministers rose to the defense of the Peace Corps volunteers.

I ask unanimous consent, Mr. President, that the full text in this news story in the Washington Post of June 13 be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 13, 1962]

#### TANGANYIKANS DEFEND PEACE CORPS

**DAR ES SALAAM, TANGANYIKA, June 12.**—Premier R. M. Kawawa defended the Peace Corps last night against a legislator's charge that the young Americans were stirring up trouble in Tanganyika.

The Tanganyikan Premier told Parliament he had challenged John Mwakangale to back up his charges with evidence but the national assemblyman could not do so.

Several other Government ministers rose to the defense of the Peace Corps volunteers.

Mwakangale, who represents the Mbeya district in southern Tanganyika and is Government agent for the region, had complained that there were three Peace Corps workers in his area but none had come to see him.

#### HE'S NOISY

Mwakangale's voice was often so loud that his words were lost. He was interrupted eight times during his outburst and warned he faced suspension from Parliament unless he lowered his voice.

Mwakangale said, "Are the Peace Corps really here to make peace? It's just the opposite. Wherever they are we always hear of trouble. We hear of people trying to overthrow the Government. These people are not here for peace, they're here for trouble. We don't want any more Peace Corps."

He said the Peace Corps is "undermining the Government."

Mwakangale also launched into diatribe against foreign embassies in Dar es Salaam.

Premier Kawawa later told Parliament "in my experience of membership in this House I must say I've never heard such an irresponsible speech."

#### HE WANTS MORE

The newspaper, Tanganyika Standard, later quoted the Premier as saying that the Peace Corpsmen "have done a very good job of mixing with people and encouraging self-help measures. We hope to get more of them."

The newspaper also quoted praise from other Tanganyikans, including a surveyor, who said:

"They are extraordinary people. They do not consider themselves superior. I find I can mix with them in a way I never could before with white men or Asians."

**Mr. HUMPHREY.** As you know, Mr. President, the charge of the legislator that was critical of the Peace Corps was to the effect that the Peace Corps, and I quote the language, "is undermining the Government." Then the press dispatch goes on to say that:

Mwakangale also launched into diatribe against foreign embassies in Dar es Salaam. Premier Kawawa later told parliament "in my experience of membership in this House I must say I've never heard such an irresponsible speech."

The only reason why I cite these clippings and news stories and the letter of the distinguished director of the Peace Corps is that we must expect from time to time that there will be irresponsible charges against this splendid program. I am surely not critical of the Washington Post for reporting what obviously was news. When a member of a parliament of another country attacks the program of the United States, there should be a report of it; but what I do think is important is the fact that the true story as related in today's press and by Reuters dispatches, as well as writings from the Scripps-Howard press, is a much more reassuring story. In fact, the Government of Tanganyika has welcomed the Peace Corps. In every country this is the case.

We will always find someone, somewhere, who will attempt to grab the headlines by bitter and irresponsible attacks. I regret that this happened, but I want to thank the Premier of Tanganyika for his stalwart defense of the work of the Peace Corps. I hope those who conduct the activities of the Peace Corps will in no way be affected by this kind of comment in the press or the legislative halls.

This is the part of public life which those of us who are in it expect. The Peace Corps is no exception. It will have its enemies and those who will attempt to misrepresent its purpose.

We can be very proud of the Peace Corps, of its officers, of its representatives, of its staff, of the Director, and of the members of the Peace Corps.

I, for one, am grateful to the Government of Tanganyika for this immediate defense of a splendid program, which is a program to aid other people, one of the finest this Government has today.

**Mr. DIRKSEN.** Madam President, has morning business been closed?

**The PRESIDING OFFICER (Mrs. NEUBERGER in the chair).** Morning business has been closed.

#### DEPARTMENT OF DEFENSE APPROPRIATIONS, 1963

The Senate resumed the consideration of the bill (H.R. 11289) making appropriations for the Department of Defense for the fiscal year ending June 30, 1963, and for other purposes.

**Mr. DIRKSEN.** Madam President, has the unfinished business been laid before the Senate?

**The PRESIDING OFFICER.** The unfinished business has been laid before the Senate.

**Mr. ROBERTSON** obtained the floor.

Mr. HUMPHREY. Madam President, I suggest the absence of a quorum.

Mr. ROBERTSON. Madam President, I ask unanimous consent that I may yield for that purpose, with the understanding that I shall not lose my right to the floor.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERTSON. Madam President, I ask unanimous consent that further proceedings under the quorum call may be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERTSON. Madam President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc; that the bill as thus amended be regarded, for purposes of amendment, as an original text; provided, that no point of order shall be considered to have been waived by reason of agreement to this order.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia? The Chair hears none, and it is so ordered.

The committee amendments agreed to en bloc are as follows:

On page 4, line 11, after the figures "\$239,-200,000", to insert the following provisos: "Provided, That the Army Reserve personnel undergoing paid drill training and paid from this appropriation shall be maintained at an end strength of not less than three hundred thousand for fiscal year 1963: *Provided further*, That insofar as practicable in any reorganization or realignment for the purpose of modernization the number and geographical location of existing units will be maintained."

On page 5, at the beginning of line 2, to strike out "\$83,800,000" and insert "\$87,974,-000".

On page 5, line 16, after the word "law", to strike out "\$50,100,000" and insert "\$56,-800,000."

On page 6, line 2, after the word "Code", to insert a colon and the following provisos: "Provided further, That the Army National Guard will be programed to attain an end strength of four hundred thousand in fiscal year 1963: *Provided further*, That insofar as practicable in any reorganization or realignment for the purpose of modernization the number and geographical location of existing units will be maintained."

On page 7, after line 2, to strike out:

#### "OPERATION, NAVY

"For expenses, not otherwise provided for, the operation and maintenance of the Army, including administration; medical and dental care of personnel entitled thereto by law or regulation (including charges of private facilities for care of military personnel on duty or leave, except elective private treatment), and other measures necessary to protect the health of the Army; care of the dead; chaplains' activities; awards and medals; welfare and recreation; recruiting expense; transportation services; communications services; maps and similar data for military purposes; military surveys and engineering planning; contracts for maintenance of reserve tools for twelve months beginning at any time during the current fiscal year; hire of passenger motor vehicles; tuition and fees incident to training of military personnel at civilian institutions; field exercises and maneuvers, including pay-

ments in advance for rentals or options to rent land; expenses for the Reserve Officers' Training Corps and other units at educational institutions, as authorized by law; not to exceed \$4,193,000 for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, and his determination shall be final and conclusive upon the accounting officers of the Government, \$3,128,345,000.

#### "MAINTENANCE OF REAL PROPERTY FACILITIES, ARMY

"For expenses, not otherwise provided for, necessary for the maintenance and repair of real property facilities of the Army; including minor construction projects, and projects for alteration, expansion, extension or addition, as authorized by law; all other necessary expenses of administration but only when incidental to the foregoing purposes including hire of motor vehicles; contracts for maintenance of reserve facilities for twelve months beginning at any time during the fiscal year; and field printing plants; \$275,000,000, and in addition, such amounts of the appropriation 'Operation, Army' as may be determined by the Secretary of Defense to be necessary to accomplish the purposes of this appropriation may be transferred to and merged with this appropriation."

And in lieu thereof, to insert:

#### "OPERATION AND MAINTENANCE, ARMY

"For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, including administration; medical and dental care of personnel entitled thereto by law or regulation (including charges of private facilities for care of military personnel on duty or leave, except elective private treatment), and other measures necessary to protect the health of the Army; care of the dead; chaplains' activities; awards and medals; welfare and recreation; recruiting expenses; transportation services; communications services; maps and similar data for military purposes; military surveys and engineering planning; contracts for maintenance of reserve tools and facilities for twelve months beginning at any time during the current fiscal year; repair of facilities; hire of passenger motor vehicles; tuition and fees incident to training of military personnel at civilian institutions; field exercises and maneuvers, including payments in advance for rentals or options to rent land; expenses for the Reserve Officers' Training Corps and other units at educational institutions, as authorized by law; not to exceed \$4,193,000 for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, and his determination shall be final and conclusive upon the accounting officers of the Government, \$3,411,845,000, of which not less than \$275,-000,000 shall be available only for the maintenance of real property facilities."

At the top of page 10, to strike out:

#### "OPERATION, NAVY

"For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, including aircraft and vessels; modification of aircraft; design and alteration of vessels; training and education of members of the Navy; administration; procurement of military personnel; hire of passenger motor vehicles; welfare and recreation; medals, awards, emblems, and other insignia; transportation of things (including transportation of household effects of civilian employee); industrial mobilization; medical and dental care; care of the dead; lease of facilities; charter and hire of vessels; relief of vessels in distress;

maritime salvage services; military communications facilities on merchant vessels; dissemination of scientific information; administration of patents, trademarks, copyrights; annuity premiums and retirement benefits for civilian members of teaching services; tuition, allowances, and fees incident to training of military personnel at civilian institutions; departmental salaries; conduct of schoolrooms, service clubs, chapels, and other instructional, entertainment, and welfare expenses for the enlisted men; procurement of services, special clothing, supplies, and equipment; installation of equipment in public or private plants; exploration, prospecting, conservation, development, use, and operation of the naval petroleum reserves, as authorized by law and not to exceed \$6,000,000 for emergency and extraordinary expenses, as authorized by section 7202 of title 10, United States Code, to be expended on the approval and authority of the Secretary and his determination shall be final and conclusive upon the accounting officers of the Government; \$2,671,916,000, of which \$1,100,000 shall be transferred to the appropriation 'Salaries and expenses', Weather Bureau, Department of Commerce, fiscal year 1963, and \$16,980,000 shall be transferred to the appropriation 'Operating expenses', Coast Guard, fiscal year 1933, for the operation of ocean stations: *Provided*, That not more than \$311,740,000 may be used for the repair and alteration of naval vessels in Navy shipyards.

#### "MAINTENANCE OF REAL PROPERTY FACILITIES, NAVY

"For expenses, not otherwise provided for, necessary for the maintenance and repair of real property facilities of the Navy; including minor construction projects, and projects for alteration, expansion, extension or addition, as authorized by law; all other necessary expenses of administration but only when incidental to the foregoing purposes including hire of motor vehicles; contracts for maintenance of reserve facilities for twelve months beginning at any time during the fiscal year; and field printing plants; \$163,-526,000, and in addition, such amounts of the appropriation "Operation, Navy" as may be determined by the Secretary of Defense to be necessary to accomplish the purposes of this appropriation may be transferred to and merged with this appropriation."

And in lieu thereof, to insert:

#### "OPERATION AND MAINTENANCE, NAVY

"For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, including aircraft and vessels; modification of aircraft; design and alteration of vessels; training and education of members of the Navy; administration; procurement of military personnel; hire of passenger motor vehicles; welfare and recreation; medals, awards, emblems, and other insignia; transportation of things (including transportation of household effects of civilian employees); industrial mobilization; medical and dental care; care of the dead; lease of facilities; charter and hire of vessels; relief of vessels in distress; maritime salvage services; military communications facilities on merchant vessels; dissemination of scientific information; administration of patents, trademarks, copyrights; annuity premiums and retirement benefits for civilian members of teaching services; tuition, allowances, and fees incident to training of military personnel at civilian institutions; repair of facilities; departmental salaries; conduct of schoolrooms, service clubs, chapels, and other instructional, entertainment, and welfare expenses for the enlisted men; procurement of services, special clothing, supplies, and equipment; installation of equipment in public or private plants; exploration, prospecting, conservation, development, use, and operation of the naval petroleum reserves, as author-



ized by law and not to exceed \$6,000,000 for emergency and extraordinary expenses, as authorized by section 7202 of title 10, United States Code, to be expended on the approval and authority of the Secretary and his determination shall be final and conclusive upon the accounting officers of the Government; \$2,837,142,000, of which not less than \$163,526,000 shall be available only for the maintenance of real property facilities, \$1,100,000 shall be transferred to the appropriation 'Salaries and expenses', Weather Bureau, Department of Commerce, fiscal year 1963; and \$16,980,000 shall be transferred to the appropriation, 'Operating expenses', Coast Guard, fiscal year 1963; for the operation of ocean stations."

On page 13, after line 16, to strike out:

**"OPERATION, MARINE CORPS**

"For expenses, necessary for the operation and maintenance of the Marine Corps including equipment; procurement of military personnel; training and education of regular and reserve personnel, including tuition and other costs incurred at civilian schools; welfare and recreation; conduct of schoolrooms, service clubs, chapels, and other instructional, entertainment, and welfare expenses for the enlisted men; procurement and manufacture of military supplies, equipment and clothing; hire of passenger motor vehicles; transportation of things; medals, awards, emblems and other insignia; operation of station hospitals, dispensaries and dental clinics; and departmental salaries; \$170,682,000, of which not to exceed \$2,000,000 is to be available only for the payment of a connection charge to the Beaufort Jasper Water Authority.

**"MAINTENANCE OF REAL PROPERTY FACILITIES, MARINE CORPS**

"For expenses, not otherwise provided for, necessary for the maintenance and repair of real property facilities of the Marine Corps; including minor construction projects, and projects for alteration, expansion, extension or addition, as authorized by law; all other necessary expenses of administration but only when incidental to the foregoing purposes including hire of motor vehicles; \$21,318,000, and in addition, such amounts of the appropriation 'Operation, Marine Corps' as may be determined by the Secretary of Defense to be necessary to accomplish the purposes of this appropriation may be transferred to and merged with this appropriation."

And in lieu thereof, to insert:

**"OPERATION AND MAINTENANCE, MARINE CORPS**

"For expenses, necessary for the operation and maintenance of the Marine Corps including equipment and facilities; procurement of military personnel; training and education of regular and reserve personnel, including tuition and other costs incurred at civilian schools; welfare and recreation; conduct of schoolrooms, service clubs, chapels, and other instructional, entertainment, and welfare expenses for the enlisted men; procurement and manufacture of military supplies, equipment, and clothing; hire of passenger motor vehicles; transportation of things; medals, awards, emblems and other insignia; operation of station hospitals, dispensaries and dental clinics; and departmental salaries; \$193,000,000, of which not less than \$21,318,000 shall be available only for the maintenance of real property facilities; and not to exceed \$2,000,000 is to be available only for the payment of a connection charge to the Beaufort-Jasper Water Authority."

On page 15, after line 16, to strike out:

**"OPERATION, AIR FORCE**

"For expenses, not otherwise provided for, necessary for the operation, maintenance, and administration of the Air Force, including the Air Force Reserve and the Air Re-

serve Officers' Training Corps; operation, maintenance, and modification of aircraft and missiles; transportation of things; field printing plants; hire of passenger motor vehicles; recruiting advertising expenses; training and instruction of military personnel of the Air Force, including tuition and related expenses; pay, allowances, and travel expenses of contract surgeons; rental of land or purchase of options to rent land without reference to section 3648, Revised Statutes, as amended, use or repair of private property, and other necessary expenses of combat maneuvers; care of the dead; chaplain and other welfare and morale supplies and equipment; conduct of schoolrooms, service clubs, chapels, and other instructional, entertainment, and welfare expenses for enlisted men and patients not otherwise provided for; awards and decorations; industrial mobilization; special services by contract or otherwise; and not to exceed \$6,000,000 for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, and his determination shall be final and conclusive upon the accounting officers of the Government; \$4,095,444,000.

**"MAINTENANCE OF REAL PROPERTY FACILITIES, AIR FORCE**

"For expenses, not otherwise provided for, necessary for the maintenance and repair of real property facilities of the Air Force; including minor construction projects, and projects for alteration, expansion, extension or addition, as authorized by law; all other necessary expenses of administration but only when incidental to the foregoing purposes including hire of motor vehicles; contracts for maintenance of reserve facilities for twelve months beginning at any time during the fiscal year; and field printing plants; \$269,200,000, and in addition, such amounts of the appropriation 'Operation, Air Force' as may be determined by the Secretary of Defense to be necessary to accomplish the purposes of this appropriation may be transferred to and merged with this appropriation."

And in lieu thereof, to insert:

**"OPERATION AND MAINTENANCE, AIR FORCE**

"For expenses, not otherwise provided for, necessary for the operation, maintenance, and administration of the Air Force, including the Air Force Reserve and the Air Reserve Officers' Training Corps; operation, maintenance, and modification of aircraft and missiles; transportation of things, repair and maintenance of facilities; field printing plants; hire of passenger motor vehicles; recruiting advertising expenses; training and instruction of military personnel of the Air Force, including tuition and related expenses; pay, allowances and travel expenses of contract surgeons; rental of land or purchase of options to rent land without reference to section 3648, Revised Statutes, as amended, use or repair of private property and other necessary expenses of combat maneuvers; care of the dead; chaplain and other welfare and morale supplies and equipment; conduct of schoolrooms, service clubs, chapels, and other instructional, entertainment, and welfare expenses for enlisted men and patients not otherwise provided for; awards and decorations; industrial mobilization, including maintenance of reserve plants and equipment and procurement planning; special services by contract or otherwise; and not to exceed \$6,000,000 for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, and his determination shall be final and conclusive upon the accounting officers

of the Government, \$4,368,644,000, of which not less than \$269,200,000 shall be available only for the maintenance of real property facilities."

On page 18, after line 13, to strike out:

**"OPERATION, DEFENSE AGENCIES**

"For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments and the Office of Civil Defense), including administration; hire of passenger motor vehicles; welfare and recreation; awards and decorations; travel expenses, including expenses of temporary duty travel of military personnel; transportation of things (including transportation of household effects of civilian employees); industrial mobilization; care of the dead; lease of buildings and facilities; dissemination of scientific information; administration of patents, trademarks, and copyrights; tuition and fees incident to the training of military personnel at civilian institutions; departmental salaries; procurement of services, special clothing, supplies, and equipment; field printing plants; information and educational services for the Armed Forces; communications services; not to exceed \$1,165,000 for emergency and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense for such purposes as he deems appropriate, and his determination thereon shall be final and conclusive upon the accounting officers of the Government; \$332,048,000.

**"MAINTENANCE OF REAL PROPERTY FACILITIES, DEFENSE AGENCIES**

"For expenses, not otherwise provided for, necessary for the maintenance and repair of real property facilities of activities and agencies of the Department of Defense (other than the military departments and the Office of Civil Defense); including minor construction projects, and projects for alteration, expansion, extension or addition, as authorized by law; all other necessary expenses of administration but only when incidental to the foregoing purposes including hire of motor vehicles; and field printing plants; \$13,217,000, and in addition, such amounts of the appropriation 'Operation, Defense Agencies' as may be determined by the Secretary of Defense to be necessary to accomplish the purposes of this appropriation may be transferred to and merged with this appropriation."

And, in lieu thereof, to insert:

**"OPERATION AND MAINTENANCE, DEFENSE AGENCIES**

"For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments and the Office of Civil Defense), including administration; hire of passenger motor vehicles; welfare and recreation; awards and decorations; travel expenses, including expenses of temporary duty travel of military personnel; transportation of things (including transportation of household effects of civilian employees); industrial mobilization; care of the dead; lease of buildings and facilities; dissemination of scientific information; administration of patents, trademarks, and copyrights; tuition and fees incident to the training of military personnel at civilian institutions; repair of facilities; departmental salaries; procurement of services, special clothing, supplies, and equipment; field printing plants; information and educational services for the Armed Forces; communications services; not to exceed \$1,165,000 for emergency and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense for such purposes as he deems appropriate, and his determination thereon shall be final and conclusive upon the accounting officers of

the Government; \$350,331,000; of which not less than \$13,217,000 shall be available only for the maintenance of real property facilities."

On page 21, after line 2, to strike out:

**"OPERATION, ARMY NATIONAL GUARD**

"For expenses of training, organizing, and administering the Army National Guard, including operation of structures and facilities; hire of passenger motor vehicles; personal services in the National Guard Bureau and services of personnel of the National Guard employed as civilians without regard to their military rank, and the number of caretakers authorized to be employed under provisions of law (32 U.S.C. 709) may be such as is deemed necessary by the Secretary of the Army; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard of the several States, Commonwealth of Puerto Rico, and the District of Columbia, as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft); \$171,800,000: *Provided*, That obligations may be incurred under this appropriation without regard to section 107 of title 32, United States Code.

**"MAINTENANCE OF REAL PROPERTY FACILITIES, ARMY NATIONAL GUARD**

"For expenses, not otherwise provided for, necessary for the maintenance and repair of real property facilities of the Army National Guard; including minor construction projects, and projects for alteration, expansion, extension or addition, as authorized by law; all other necessary expenses of administration but only when incidental to the foregoing purposes including hire of motor vehicles; services of personnel of the National Guard employed as civilians without regard to their military rank; \$2,600,000, and in addition, such amounts of the appropriation 'Operation, Army National Guard' as may be determined by the Secretary of Defense to be necessary to accomplish the purposes of this appropriation may be transferred to and merged with this appropriation: *Provided*, That the number of caretakers authorized to be employed under provisions of law (32 U.S.C. 709) may be such as is deemed necessary by the Secretary of the Army: *Provided further*, That obligations may be incurred under this heading without regard to section 107 of title 32, United States Code."

And, in lieu thereof, to insert:

**"OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD**

"For expenses of training, organizing, and administering the Army National Guard, including maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personal services in the National Guard Bureau and services of personnel of the National Guard employed as civilians without regard to their military rank, and the number of caretakers authorized to be employed under provisions of law (32 U.S.C. 709) may be such as is deemed necessary by the Secretary of the Army; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard of the several States, Commonwealth of Puerto Rico, and the District of Columbia, as authorized by law; and expenses of repair, modification, maintenance, and issue of sup-

plies and equipment (including aircraft); \$174,400,000, of which not less than \$1,900,000 shall be available only for the maintenance of real property facilities: *Provided*, That obligations may be incurred under this appropriation without regard to section 107 of title 32, United States Code."

On page 23, after line 21, to strike out:

**"OPERATION, AIR NATIONAL GUARD**

"For operation and maintenance of the Air National Guard, including medical and hospital treatment and related expenses; operation of facilities for the training and administration of the Air National Guard, including maintenance, operation, and modification of aircraft; transportation of things; hire of passenger motor vehicles; supplies, materials, and equipment, as authorized by law for the Air National Guard of the several States, Commonwealth of Puerto Rico, and the District of Columbia; and expenses incident to the maintenance and use of supplies, materials, and equipment, including such as may be furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, of Air National Guard commanders while inspecting units in compliance with National Guard regulations when specifically authorized by the Chief, National Guard Bureau; \$192,800,000: *Provided*, That the number of caretakers authorized to be employed under the provisions of law (32 U.S.C. 709) may be such as is deemed necessary by the Secretary of the Air Force and such caretakers may be employed without regard to their military rank as members of the Air National Guard: *Provided further*, That obligations may be incurred under this appropriation without regard to section 107 of title 32, United States Code.

**"MAINTENANCE OF REAL PROPERTY FACILITIES, AIR NATIONAL GUARD**

"For expenses, not otherwise provided for, necessary for the maintenance and repair of real property facilities of the Air National Guard; including minor construction projects, and projects for alteration, expansion, extension or addition, as authorized by law; all other necessary expenses of administration but only when incidental to the foregoing purposes, including hire of motor vehicles; services of personnel of the National Guard employed as civilians without regard to their military rank; \$1,600,000, and in addition, such amounts of the appropriation 'Operation, Air National Guard' as may be determined by the Secretary of Defense to be necessary to accomplish the purposes of this appropriation may be transferred to and merged with this appropriation: *Provided*, That the number of caretakers authorized to be employed under provisions of law (32 U.S.C. 709) may be such as is deemed necessary by the Secretary of the Air Force: *Provided further*, That obligations may be incurred under this heading without regard to section 107 of title 32, United States Code."

And, in lieu thereof, to insert:

**"OPERATION AND MAINTENANCE, AIR NATIONAL GUARD**

"For operation and maintenance of the Air National Guard, including medical and hospital treatment and related expenses; maintenance, operation, repair, and other necessary expenses of facilities for the training and administration of the Air National Guard, including repair of facilities, maintenance, operation and modification of aircraft; transportation of things; hire of passenger motor vehicles; supplies, material, and equipment, as authorized by law for the Air National Guard of the several States, Commonwealth of Puerto Rico, and the District of Columbia; and expenses incident to the maintenance and use of supplies, materials, and equipment, including such as may be furnished from stocks under the

control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, of Air National Guard commanders while inspecting units in compliance with National Guard regulations when specifically authorized by the Chief, National Guard Bureau; \$194,400,000, of which not less than \$1,600,000 shall be available only for the maintenance of real property facilities: *Provided*, That the number of caretakers authorized to be employed under the provisions of law (32 U.S.C. 709) may be such as is deemed necessary by the Secretary of the Air Force and such caretakers may be employed without regard to their military rank as members of the Air National Guard: *Provided further*, That obligations may be incurred under this appropriation without regard to section 107 of title 32, United States Code."

On page 27, after line 16, to strike out:

**"OPERATION, ALASKA COMMUNICATION SYSTEM, ARMY**

"For expenses necessary for the operation of the Alaska Communication System, including purchase of two passenger motor vehicles for replacement only, \$6,395,000, and, in addition, not to exceed 15 per centum of the current fiscal year receipts of the Alaska Communication System may be merged with and used for the purposes of this appropriation and charges for station agent agreements may be paid from receipts of the Alaska Communication System."

**"MAINTENANCE OF REAL PROPERTY FACILITIES, ALASKA COMMUNICATION SYSTEM, ARMY**

"For expenses, not otherwise provided for, necessary for the maintenance, repair, and improvement of real property facilities of the Alaska Communication System; including minor construction projects, and projects for alteration, expansion, extension or addition, as authorized by law; all other necessary expenses of administration but only when incidental to the foregoing purposes including hire of motor vehicles; \$505,000, and in addition, such amounts of the appropriation 'Operation, Alaska Communication System, Army' as may be determined by the Secretary of Defense to be necessary to accomplish the purpose of this appropriation may be transferred to and merged with this appropriation."

And, in lieu thereof, to insert:

**"OPERATION AND MAINTENANCE, ALASKA COMMUNICATION SYSTEM, ARMY**

"For expenses necessary for the operation, maintenance, and improvement of the Alaska Communication System, including purchase of two passenger motor vehicles for replacement only, \$6,900,000, of which not less than \$385,000 shall be available only for maintenance of real property facilities; and, in addition, not to exceed 15 per centum of the current fiscal year receipts of the Alaska Communication System may be merged with and used for the purposes of this appropriation and charges for station agent agreements may be paid from receipts of the Alaska Communication System."

On page 30, line 21, after the word "authorized", to strike out "\$2,500,000,000" and insert "\$2,555,000,000".

On page 31, line 8, after the word "plants", to strike out "\$3,007,970,000" and insert "\$3,057,160,000".

On page 31, line 25, after the word "amended", to strike out "\$2,907,200,000" and insert "\$2,929,200,000", and on page 32, line 3, after the word "expended", to strike out the colon and "*Provided*, That not more than \$299,195,000 of these funds may be used for conversion of naval vessels in Navy shipyards."

On page 32, line 20, after the word "plants", to strike out "\$901,700,000" and insert "\$908,500,000".



On page 33, line 19, after the word "things", to strike out "\$3,507,900,000" and insert "\$3,604,900,000".

On page 35, line 8, after the word "amended", to strike out "\$950,000,000" and insert "\$962,500,000".

On page 36, line 9, after the word "law", to strike out "\$1,317,000,000" and insert "\$1,323,000,000".

On page 36, line 16, after the word "law", to strike out "\$1,473,458,000" and insert "\$1,478,458,000".

On page 36, line 23, after the word "law", to strike out "\$3,480,900,000" and insert "\$3,776,000,000", and on page 37, line 2, after the word "and", to strike out "\$223,900,000" and insert "\$491,000,000".

On page 37, line 14, after the word "expended", to strike out "\$439,000,000" and insert "\$449,000,000".

On page 51, line 11, after the word "cotton", to insert "woven silk and woven silk blends," and at the beginning of line 19, to insert "woven silk and woven silk blends,".

On page 58, after line 4, to strike out: "Sec. 540. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount for indirect expenses in connection with such project in excess of 15 per centum of the direct costs."

And, in lieu thereof, to insert:

"Sec. 540. Of the funds made available in this Act for repair, alteration, and conversion of naval vessels, 65 per centum shall be available for such repair, alteration, and conversion in Navy shipyards, and 35 per centum shall be available for such repair, alteration, and conversion in privately owned shipyards: *Provided*, That if determined by the President to be inconsistent with the public interest based on urgency of requirement, capability, and economy of performance to have such vessels repaired, altered, or converted as required above, such work may be done in Navy or private shipyards as he may direct."

Mr. DIRKSEN. Madam President, will the distinguished Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mr. DIRKSEN. Madam President, I offer the amendments which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendments will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 36, lines 23 and 24, it is proposed to strike out "\$3,776,000,000" and to insert "\$3,456,000,000." On page 37, lines 2 and 3, it is proposed to strike out "\$491,000,000" shall be available only for the RS-70 program" and to insert "not to exceed \$171,000,000 shall be available for the B-70 (RS-70) program."

The PRESIDING OFFICER. Without objection, the amendments offered by the Senator from Illinois will be considered en bloc.

Mr. KEATING. Madam President, will the Senator yield for a parliamentary inquiry?

Mr. ROBERTSON. I yield.

Mr. KEATING. I did not understand the Presiding Officer's ruling. Was it that the amendments of the Senator from Illinois would be considered along with the committee amendments?

Mr. DIRKSEN. The committee amendments have been agreed to en bloc.

Mr. ROBERTSON. The Presiding Officer announced that, without objection, the committee amendments have been agreed to, leaving the bill as an

original text for the purpose of amendment. The distinguished minority leader then sent to the desk, for consideration at an appropriate time, amendments to the bill, as now pending.

Mr. KEATING. Madam President, I thank the Senator from Virginia. I wish to make a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KEATING. Are the amendments of the Senator from Illinois divisible?

The PRESIDING OFFICER. The amendments would be divisible.

Mr. KEATING. I thank the Presiding Officer.

Mr. ROBERTSON. Madam President, I say at the outset I am glad that the distinguished minority leader has, at the beginning of consideration of the bill, offered his amendment, which clarifies a misrepresentation of his position as reported over the radio this morning. At 8 o'clock there was a report on the radio that the Senator from Illinois was to move that approximately \$500 million be cut from the amount in the bill. That report was incorrect. What the Senator is proposing is to strike out the increase for the RS-70 program made by the House and the additional increase made by the Senate committee for the RS-70 program, leaving the figure at exactly the budget estimate for the RS-70 program.

Mr. DIRKSEN. The Senator is correct; except that I might have other amendments to offer, which, if agreed to, could aggregate \$500 million.

Mr. ROBERTSON. I did not know about that. That will be perfectly satisfactory. The Senator, of course, can offer any amendments he wishes to offer.

As I have explained before, this is not a partisan bill. This is neither a Democratic bill nor a Republican bill. It is aimed at our national security. This is not a bill to give employment. The bill is aimed at protecting us from having our brains beaten out by heartless aggressors if they think we are no longer able to defend ourselves.

It is perfectly in keeping for those who think there is no danger to attempt to cut the bill all they please. Whenever they succeed in cutting it, as I shall point out, they will be cutting the sinews of our defense program, which we are building up with the hope that we will never have to fight, because there will be no victor in an all-out nuclear war.

We have considered the bill very carefully. The amount in the bill is actually only \$8 million above the budget estimate. There was some fancy footwork on the part of the Department, in setting up the budget, with respect to a fund of \$514.5 million which was in the fiscal year 1962 budget. We inserted that amount for the production of long-range bombers because, as General Clay recently told me:

We cannot implement our foreign policy with a missile.

We also did not feel that our missile program had developed to the point that we could be secure without bombers. We did not feel that our missile program had developed to the point that at any given time we could press a button and, from

all established bases both here and in Europe, have nuclear warheads fired upon any enemy which attacked us. We know it is our long-range bombers which protect us; and which, as Winston Churchill once said, preserve "an uneasy peace."

Therefore, last year we put in the budget the sum of \$514.5 million for the continued production of long-range bombers, the only bombers we had which could go to the enemy and return again.

Mr. DIRKSEN. Madam President, will the Senator yield?

Mr. ROBERTSON. I should like to finish my thought. It will take only a minute.

We provided that the funds could not be used for any other purpose. The administration, for reasons best known to itself, refused to spend the money.

This year the Department representatives said, "Remove the limitation, and then we shall have \$514.5 million to spend, and it will not appear in the budget." We said, "Oh, no. Oh, no; we will rescind your authority. Then, when you spend the \$514.5 million, you will have it in your budget."

In these circumstances, there was some fancy bookkeeping involved, which made it appear that the committee recommendations were very much in excess of the budget estimates; as a matter of fact, the committee recommendations would be under the budget estimates except for the increase included therein for the RS-70 program.

All those who wish to put their faith in missiles alone, who do not think we need any long-range bombers, plus all of those who do not think we shall engage in a war, can say, "Why spend for military purposes, when we want a tax cut, more bread, and circuses?" They can seek to cut the bill in any way they please.

They should bear in mind, first, that there is a difference of opinion about the necessity for long-range bombers, if we are to have a balance in our military program; a program which includes the ability to fight brush wars as well as nuclear wars. We must have an instrumentality of defense and of attack at the same time; something which can be dispatched toward the enemy territory, and, if advisable, be recalled. If we conquer a nation, men will be required to occupy it. That is one issue.

Another issue is: Do we want to take the chance of a change of heart by Mr. Khrushchev, or whoever may succeed him in the Politburo? Do we believe that the Communists are only indulging in an idle boast when they say, "We will bury you"? Do we believe that they are going to change their hearts with respect to Stalin's and Lenin's program of world domination? If so, here is the place to cut, because the bill before the Senate contains the largest appropriation of all peacetime bills. Do not cut the appropriation for the RS-70. Cut the appropriation across the board. Cut everything in it, because I can assure the Senator that there is nothing in the bill which the military authorities have not recommended.

I yield to the Senator from Illinois.

Mr. DIRKSEN. Madam President, this may be a good opportunity to observe that the Secretary of Defense is not wanting in his devotion to national security. The President is certainly not wanting in that respect. The Budget Bureau is certainly interested in our national security. Our distinguished former President, General Eisenhower, with his long experience, was not lacking in devotion to our national security in his consideration of the B-70 and the RS-70. What I am trying to do here is quite in conformity with their views, because they did not ask for the additional money.

Mr. ROBERTSON. They did not ask for the additional money for the RS-70. But the distinguished minority leader, so I was informed, said that he might move to cut the appropriation by a total of \$500 million. He now proposes to cut \$320 million from the RS-70 program. The first report is the point to which I was addressing my remarks. I think the former President was a great American. During the 8 years he was in office I supported him more frequently than did some members of his own party. But I am not unmindful of the fact that, when I was instrumental, as I recall, in including \$900 million in an appropriation for the construction of B-52's, Charlie Wilson said that it was a political move and he would not spend a nickel of the appropriation. What happened? He did not spend the money until an acute emergency arose. Then both he and the distinguished Commander in Chief of the Armed Forces were happy to have the money available. If that money had not been available, we would not have had the B-52, and, if we had not had the B-52, we might have found ourselves in a holocaust long before now. We might have reached the point described by H. C. Wells, in which civilization would be left trembling, with nothing remaining but slums and destroyed cities.

The B-52, as we all well know, not only served a useful, but a necessary, purpose. I know that the distinguished Dr. Brown of the Defense Department has said that he doubts we can successfully develop the program. Over and above his doubts, he pointed out that it would be very expensive.

Not Dr. Brown, but a corporal in the same outfit, said, "We can save \$58 million by realining the Army National Guard and the Army Reserves." Senators know what such a realignment would do. It would not be so simple a matter as straightening the wheels of an automobile to enable it to hold the road. It would cut down their strength. We have taken care of that matter in the bill before the Senate. That was more than the President had requested.

Perhaps the distinguished Senator from Illinois wishes to go against the National Guard and the Reserves. It is his privilege to do so. We inserted in the bill money in the amount requested by the supporters of those forces, as opposed to the budget request. The Senator can return to Illinois and say, "I do not care anything about the National Guard and the Reserves. Let them be realigned."

Mr. DIRKSEN. I am not interfering with the Guard.

Mr. ROBERTSON. We must find some activity to cut if it is proposed to cut \$500 million from the appropriation. We must identify the activity. We cannot simply just cut the bill \$500 million; we must be told where to apply the cut. We have cut every item which we believe should be cut.

Mr. DIRKSEN. But if the distinguished chairman will go along with me on the \$320 million, I shall have only \$180 million to go.

Mr. ROBERTSON. The distinguished chairman is repeating what he has already recommended. He did not proceed to this point with his eyes shut. He did not do it with any view that, as soon as someone fired a shot, the result would be comparable to what happened to the army of Laos. It is said that the general retreated when only one soldier had been shot, and he was only hit in the heel. We do not retreat after the first shot has been fired. If we go down, we will do so with no lessening of our convictions that this country has stood for principles which are right.

Mr. DIRKSEN. I thought the man was hit in a helicopter.

Mr. ROBERTSON. No, he was hit in the heel. Anyway, they surrendered after taking all of our millions of dollars.

Mr. KEATING. Madam President, will the Senator yield for a clarification?

Mr. DIRKSEN. I yield.

Mr. KEATING. I should like to address a question to the Senator from Illinois. Am I correct in my understanding that his amendment addresses itself to two points: First is the RS-70 program, for which he proposes to cut the figure back to the figure recommended by the Budget. The other item is something else. What is the other item?

Mr. DIRKSEN. There is no other item.

Mr. KEATING. That is the reason I asked whether the amendment was divisible. I thought the Senator was addressing himself to a different point.

Mr. DIRKSEN. No. My amendment deals only with the total. I have included the amount by which the budget would be exceeded by the item for the B-70 program. But it all relates to the same subject. The \$171 million is the amount that the Budget Bureau recommended.

Mr. KEATING. But it all has to do with the RS-70?

Mr. DIRKSEN. The Senator is correct.

Mr. DWORSHAK. Madam President, will the Senator yield?

Mr. ROBERTSON. I yield to the distinguished Senator from Idaho.

Mr. DWORSHAK. I commend the Senator from Virginia for the outstanding work he has done as acting chairman of the Defense Subcommittee which handles the largest budget of any subcommittee. I share the concern of the minority leader in trying to curtail Federal expenditures wherever possible and to keep within the limits of the budget submitted by the Bureau of the Budget.

I should like to ask the Senator from Virginia if the discussion in our subcom-

mittee for the past 3 or 4 years has not been most difficult and confusing when we considered the so-called B-70 bomber, which is now known as the RS-70 bomber. The Senator will recall that there has been disagreement and divergence of opinion among officials in the Pentagon especially—and while I would not say there has been disagreement in the Air Force, I think it has existed in the Office of the Secretary of Defense—over whether we ought to proceed slowly or rapidly in the development of the RS-70. Is it not true that General LeMay, the Chief of Staff of the Air Force, testified at our hearings recently that we have already lost about 4 years in the original concept for the development of the B-70?

Mr. ROBERTSON. The Senator is correct, because we could have no fixed responsible determination as to whether to go forward or backward, so we went forward and backward and got nowhere.

Mr. DWORSHAK. We actually stood still.

Mr. ROBERTSON. He said also that if we did not include the extra money proposed, we would lose another year in the program. It is a question of policy. Do we want to rely solely upon guided missiles, which have not, with all due deference, been perfected; or do we want a well-balanced defense of both missiles and manned bombers, which can reach a destination and return? During the coming year, production of every bomber that we have will cease. The present aircraft are rapidly being worn out, as many are kept in constant service to avoid the possibility of a surprise attack.

Mr. DIRKSEN. Is it not also true that General LeMay testified before the subcommittee that no reasonable man would ask for more than was recommended by the Budget, and that there was a possibility of reprogramming if it were desired to do something in connection with the B-70-RS-70 program?

Mr. ROBERTSON. I cannot remember that.

Mr. DIRKSEN. I do remember it, because I read it this morning in the hearings.

Mr. ROBERTSON. We assured the general that he could come before us and speak in his "native tongue." He said he wanted all the money, regardless of what had been said before.

Mr. SALTONSTALL. Madam President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. SALTONSTALL. I should like the Senator from Illinois to hear this. I understand that the Senator from Illinois has offered an amendment to cut the RS-70 back to the budget figure.

Mr. ROBERTSON. Did he not say he might cut another \$500 million?

Mr. DIRKSEN. No. I said if the chairman would go along with me on the \$320-million cut, I would then have only \$180 million to go later.

Mr. ROBERTSON. I do not go along with the Senator even part way.

Mr. SALTONSTALL. I should like to make a statement in support of the action of the chairman of the subcommittee. I voted with him on this matter for the whole \$491 million. I did it for the very simple reason that Congress,



under the Constitution, has the responsibility of providing sufficient funds with which to take care of our defense. In this instance there is a fundamental difference of opinion or basic difference of opinion between the leaders of the Air Force, who are responsible for our air power, and other members of the administration, especially the civilian members.

What we have done is to make it possible, just as we did with the B-52 last year, for the administration to spend this money if they find they can do so wisely. With relation to the RS-70, I believe there have been some developments made since we had our hearings on this subject. The RS-70 is being experimented with, or research work is being done on it, not only as a reconnaissance weapon, but also as a tactical defense weapon, for its use from that point of view, as well as a possible future bomber.

It is my understanding that the research and development work is going forward, and that some people are more optimistic in respect to the research and development than are others. However, if we cut it back to the earlier budget, it is my understanding that we will simply develop the body of the plane, and that it will do nothing so far as the radar work is concerned, and nothing so far as the weapons development is concerned. If we cut back the budget and do not put any of these additional amounts in the bill, then, as the Senator from Virginia has said, there has already been some delay, and more delay will occur. The last B-52 comes off the line, I believe, in the present calendar year.

Mr. ROBERTSON. In September.

Mr. SALTONSTALL. In September.

Mr. ROBERTSON. Then we are through.

Mr. SALTONSTALL. The B-58 is through. The B-47 has been extended, but that plane is obsolete, anyway.

As one member of the committee, I went forward with the full \$491 million because in my opinion we will then carry out our responsibility as the appropriating body by giving the executive branch what we believe may be necessary, where there is a difference of opinion, concerning the defense and security of our country. If they find that they cannot use the money profitably, then we must leave it to the executive department to work that out, but, as Members of Congress, we will have done our full duty.

Mr. ROBERTSON. I would like to say to my friend from Illinois that I approached this biggest of all peacetime budgets with the hope that I could find something in it which could be wisely deleted. However, General LeMay, who appeared before us—let us get into the RECORD what he said. In answer to my question as to whether he was satisfied with the Defense budget which had been presented, General LeMay said:

The amount of the budget, yes, sir. I do not think any reasonable man could quarrel with the size of the budget, but I do have some reservations, particularly in the strategic portion of the budget.

What is that portion? That is the long-range bomber portion. What are General LeMay's reservations? This is what he said:

It has always been the Air Force view and my own personal view, too, that we need both manned and unmanned systems. All of our war-gaming has shown that you can conduct a more efficient campaign if you use both missiles and manned systems. You can take advantage of the good points of each system and the combination gives you a more efficient attack than you would get with either one of them alone.

With respect to the RS-70, he said:

We think it will cover a wide range of tasks at various levels of conflict, in which the speed of response, discrimination, on-the-spot action, flexibility of weapons choice and vehicle recovery are of very great importance.

After we had reported the bill, I told the Air Force Secretary that we put in the money for the long-range bombers, but I added, "I do not think you will use it." He said, "You may be surprised about that."

I will be frank in saying that it was with some reluctance, and after considerable deliberation, that I recommended the addition of this money. If those in charge do not see fit to spend it, my responsibility to the security of our Nation will have been discharged. I acted on the best military advice we have, which was that we need both the long-range bombers and the missiles. If anyone else wants to put his confidence in the pressing of buttons to win the next war, he can do so.

I am reminded of the story in the Bible of Asa, who put his faith in doctors, and as a result Asa slept with his fathers; he died.

Dr. Brown took a dim view of the RS-70 program. The military experts strongly recommend its accelerated development. One may place his faith in whomever he desires.

The Senator from Illinois can put his confidence where he wishes to put it.

Mr. DIRKSEN. I will put my confidence in the letter which the Secretary of Defense wrote to the Senator from New Mexico [Mr. CHAVEZ] of October 27, 1961. I read from the letter:

A decision has been reached regarding utilization of funds appropriated by the Congress for long-range bombers.

This decision, approved by the President after an intensive review, is that the progress of the accelerated defense buildup makes unnecessary the use of these funds above the amount requested by the President.

The Bureau of the Budget and the President and the Department of Defense asked for \$171 million. The committee recommends \$491 million. If Senators wish to be logical and assert the position of Congress, they should mandate the expenditure. Then if the money is not expended, of course Senators know what they can do. Otherwise it becomes an exercise in futility. I am content to follow the recommendation of the Secretary of Defense, for the moment, instead of going through this kind of situation for the second year.

Mr. ROBERTSON. As far as the Department of Defense is concerned, it is a matter of later-discovered evidence.

Later-discovered evidence is always sufficient to reopen any criminal trial. This evidence was discovered later.

Mr. STENNIS. Madam President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. STENNIS. How can the Senator from Illinois say that this is an exercise in futility, when the Chief of Staff of the Air Force, a man of great experience, whom some call the father of the strategic strike force, comes before the committee and solemnly says, on his responsibility, that in his opinion this is a must? This is no new question. This is no new matter. The President has considered it and reconsidered it, as has the Secretary of Defense.

Last year the Preparedness Subcommittee went through all this and then went to the White House. The Senator from Massachusetts was there. All of us were there. We were in conference with the President for 40 minutes. We asked him to support this matter. The representatives of the Department of Defense were there. Everyone recognized that it was a close question. The officials reconsidered it. They decided to put it off. Still, the conditions are almost the same as they were a year ago. Here is General LeMay saying what he said a year ago. He says that missiles have advanced, yes; that they have been stepping forward with them and that they have made some advances, but that the matter is still a close one. This is not a new situation. We have advanced with the missiles. When one goes and sees how they operate, he is almost convinced that with all their great probabilities, they will probably never be used, certainly not until it is all-out everything, which underscores the need for the development of this frontline. It comes to the question of whether we are going to put some money on the front-running horse, and in this case the front-running horse is the system that is most advanced.

The ultimate is that the weapon has high probabilities. It may be that it will never be developed. Bugs may be found. But at least it is the front-running horse in this situation. I think it would be a great mistake to back up now. All that needs to be done is to reappropriate the money which was appropriated last year.

Mr. ROBERTSON. I thank both the Senator from Massachusetts and the Senator from Mississippi, who have been so helpful in the subcommittee and the full committee in preparing the bill. But I think we should recognize the author of the amendment, the chairman of the committee, the distinguished Senator from Arizona [Mr. HAYDEN], who offered the amendment to restore the money. I think he is entitled to say a word in behalf of the amendment.

Mr. HAYDEN. My reason for doing so has been fully stated by the Senator from Mississippi [Mr. STENNIS]. I could not make a better statement than he has just made. It is perfectly sound, based on logic and good reason.

Mr. DIRKSEN. What General LeMay said to the committee, in response to the distinguished Senator from Virginia, the

chairman of the subcommittee, appears on page 186 of the hearings:

Senator ROBERTSON. Let us see if we understand each other.

Do I understand you to say that you would be satisfied with a total of \$18,900 million if some of the items were rearranged, or would you add some items?

General LEMAY. I think we could rearrange some of the items to pick up this money. When you get an increase in the overall Department of Defense budget of the size contemplated this year, I do not think any reasonable man will say we should have more.

Mr. SALTONSTALL. Madam President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mr. SALTONSTALL. I should say to the distinguished Senator from Illinois, the minority leader, who I know always speaks his mind clearly, that a year ago we included B-52 money in the bill, stating that it should be used for the B-52 and nothing else; that if it were not used for the B-52, then it should not be used.

This year the Department asked the committee to strike out that provision and to allow them to use the \$514 million for their general purposes. The House refused, saying it would make a clean budget for that item. The House said that that money could not be used, but provided a new item of \$514 million.

The Senate committee approved that action, believing it was a clean way to make a budget. We felt that money previously appropriated should not again be appropriated, since it was included for a special purpose. We have done the same thing this year with respect to the RS-70. We have provided the additional money to be used for the RS-70. If it cannot be used for the RS-70, it cannot be used for any other purpose. I believe that is a sound way to carry out our responsibility as an appropriating body for the security of the country.

Mr. ROBERTSON. Would the distinguished Senator from Illinois, who just quoted General LeMay as saying he is satisfied with the budget, permit me to place in the Record all that he said, including his strong endorsement of funds for the RS-70?

Mr. DIRKSEN. Oh, yes; that it is necessary to rearrange the items.

Mr. ROBERTSON. The Senator from Illinois stressed the antipenult, but not the penult. Here is what General LeMay said:

It is the trend that I see starting in this present budget which I am worried about.

Senator ROBERTSON. The theory of the Defense Department in refusing to go ahead with the B-70 is that before it could be operational, we will have a missile program that will carry all of the destructive and defensive power that is needed.

I understand that you feel that we should go ahead with the B-70.

General LEMAY. I do. I believe we need both.

Madam President, I had not expected to open my discussion of the bill on the subject of the RS-70.

Mr. DIRKSEN. We may just as well. When I read the word "trend" in General LeMay's testimony, I thought, "Well, I share his distress," because what I see

is a trend for a \$100 billion budget for this country; and I see the same allergy all over again with respect to saving money. Under the circumstances, although the Bureau of the Budget did not ask for it, we propose forcing the money on them, just as they did not ask for it last year, but we gave it to them anyhow, saying, in effect, "Please spend the money." They refused to spend it; they did not spend it. Now we are saying again, "Please spend the money."

Mr. ROBERTSON. I remind the Senator again that if we get away from the tricky bookkeeping in the budget, which claims credit for \$514.5 million, without its being reflected in the budget, we have added only \$8 million to the budget. That includes all which we have provided for the RS-70, which was not requested, and it includes all that we have provided for special training for Air Force and Navy Reserves, which the Bureau of the Budget also did not request, but which was eminently well sustained in the hearings.

Mr. DIRKSEN. The Senator is joining 2 fiscal years.

Mr. ROBERTSON. Oh, no.

Mr. DIRKSEN. Now, he is putting in a rescinding provision.

Mr. ROBERTSON. We are rescinding what was appropriated last year, what was impounded and not used, and we are making it show in the budget, which accounts for most of the amount over the budget. This, however, is a fictitious overage. It came about through a bookkeeping device.

Mr. SALTONSTALL. The Senator from Illinois has quoted from General LeMay's testimony. I quote from General LeMay's testimony on page 1360 of the hearings:

Senator SALTONSTALL. What you are saying to us, General LeMay and General Schriever, is that if we do not appropriate up to, we will say, \$491 million, that, actually, we will not only slow up the programs, but we will lose the advantages of what we have already done to a certain extent?

General LEMAY. Yes, sir.

Senator SALTONSTALL. How many of those advantages will we actually lose outside of the trained manpower?

General LEMAY. I think that is the big one. This is a question I think General Schriever can probably answer better than I can.

General SCHRIEVER. That is the so-called impact on the industry working on the program, but we also lose time in initiating the development of these subsystems, like the strike missile, the command and control system, the environmental system, the ability to refuel the airplane in flight.

Getting on with characteristics and capabilities that the weapon system must have, would just be postponed by 1 year.

Then we went on to develop that point. I respectfully invite the Senator's attention to pages 1360 and 1361 of the hearings.

Mr. DIRKSEN. I respectfully invite the Senator's attention to the fact that, first, President Eisenhower took the position which I take now with respect to the RS-70. Is not that correct?

Mr. SALTONSTALL. That is correct.

Mr. DIRKSEN. Second, does the Senator believe that the President is wanting with respect to views on na-

tional security; that he is not familiar with the subject? After all, the Pentagon, the President, and the Bureau of the Budget asked for \$171 million for development money, and no more. Now the committee has added \$320 million. Are they not aware of the problem?

Mr. SALTONSTALL. On the basis of what was the knowledge of the B-70 at that time—and it was the B-70—President Eisenhower stated that the research and development work would be stopped. Actually, some of the research and development took place.

This year, the Secretary of Defense and President Kennedy requested something more than \$170 million to continue the work, because there have been new developments in the RS-70, and the missile program has not gone forward just as they would like to have it go forward. Work must be done on a manned bomber for many years to come—4, 5, 6, 7, or 8 years. So money was requested for further development of that program.

The Air Force, through General LeMay, says that if the body of the airplane is to be built and is to be flown, the use of that plane will be delayed if we do not make it possible to develop radar and weapons system along with it. Therefore, the use of that plane would be delayed for years to come.

In addition, as I said before, the RS-70 has not only new possibilities as a plane for observation purposes, but also as a plane for tactical use in the striking force.

Mr. DIRKSEN. I have only one comment to make: I have reason to believe that our great, Number One, World War II chief, President Eisenhower, has not changed his mind regarding this matter; and certainly it will not be said that he does not have an experienced and a professional touch on problems of this kind.

Mr. ROBERTSON. Mr. President—  
Mr. ENGLE. Mr. President, will the Senator from Virginia yield to me?

The PRESIDING OFFICER (Mr. METCALF in the chair). Does the Senator from Virginia yield to the Senator from California?

Mr. ROBERTSON. I yield.

Mr. ENGLE. Mr. President, according to the House committee report:

The Secretary of Defense has directed that a reexamination of the program be made. Two study groups have been designated to review the entire program concept and make recommendations to the Secretary of Defense. One group entirely within the Air Force is headed by Dr. Joseph Charyk, the Under Secretary of the Air Force. The second group is headed by Dr. Harold Brown, the Director of Defense Research and Engineering, Office of the Secretary of Defense. These groups will study the program both jointly and separately. The study groups are scheduled to make a report within a few weeks.

In other words, after we included the money, last year, for the B-70 and after the Secretary of Defense refused to spend that money, he returned before the committee and said, "In light of all we know and have heard since, we are going to restudy this matter again."

So the Congress is undertaking to supply him with the necessary funds.



I do not know of any way to make the Secretary of Defense spend the money. For a while the House was going to try to do that; it was going to mandate him to do it, as our distinguished minority leader has just now suggested. Finally, the House dropped that language—and I suppose the House had to, because I do not know of any way to mandate the Secretary of Defense to spend the money.

But as the distinguished chairman of the Appropriations Subcommittee has said, we can discharge our responsibilities; and we do discharge our responsibilities when we act in the national interest according to the best information we can obtain.

Let me state, Mr. President, that the total amount of experience available in the respective committees of the House and the Senate dealing with this matter exceeds all the experience today in the Department of Defense, save and except that of the military chiefs; and the military chiefs are with us on this problem. In other words, when we consider the experience with which this problem has been evaluated, we find that experience is on the side of the position taken by the Congress and taken by the military chiefs.

The Chief of Staff of the Air Force, General LeMay, has made very plain what he thinks about the RS-70, as did his predecessor, General White, in the preceding hearings. They were for it, and they said so.

Certainly the members of the Senate Committee on Armed Services, the House Committee on Armed Services, the Senate Appropriations Committee, and the House Appropriations Committee have in total, a vast amount of experience with this matter, and have more brains and more experience with this military business than does any civilian section today in the Department of Defense, including the brilliant and capable Secretary of Defense, Mr. McNamara.

Mr. ROBERTSON. Mr. President, the chairman of the subcommittee will state that we heard the testimony of Secretary McNamara's assistant, Dr. Brown, who has a Ph. D. degree and perhaps other degrees; but we did not regard him as a bomber expert. He thought there was doubt about this matter. He said that it will be very expensive, and, in any event, the missiles will come faster than we think. So only \$171 million was put into this program.

And, as stated by the Senator from California, we heard all the military experts. They said, "Go ahead full steam with the RS-70 program, as we must not rely solely on missiles. We shall unduly delay the effectiveness of this plane, if it is developed in the way we think it can be, unless we provide the full amount for it." That is exactly what we did. We acted on the advice of the military experts.

Mr. ENGLE. Exactly. Not only that, but we also acted on the judgment of the men who have served on these congressional committees almost before the present Secretary of Defense was born.

Let me state the present situation: We have had a program to build a prototype

bomber. The B-70—to begin with, and now called the RS-70, because at the present time it is a reconnaissance type airplane—has been in the program since the preceding administration. They are going to build three prototypes. A prototype is like building a ship and putting a motor in it and having it travel on the sea; but if it is to be made into a battleship, it is necessary to add the necessary guns, the navigational systems, the radar, and all the rest.

So they want to hatch an egg here and see whether this bird will fly—although all of us know it will fly, because it has been tested time and time again in the test chambers; but they do not want any equipment to be placed in it. So, basically, the dispute is whether we shall build a hull and shall fly it, or whether we shall build a weapons system, so that we shall have something we can use.

We can build the hull, and from the standpoint of proving the aerodynamics of flying at 2,000 miles an hour, mach 3, we shall have demonstrated something. Some of my colleagues may remember that last year I was on this floor, asking for an authorization of \$25 million—half of which was granted—to convert the technology which would come out of the B-70 bomber into a supersonic jet commercial transport, so we would have that knowledge, in any case. But that would not give us a weapons system. In order to have a weapons system we have to include the bombing systems, the navigational systems, the radar, the defensive systems, all in parallel lines, so that when the bomber hull finally comes out, the others will come with it at the same time and will be matched together in a weapons system. That is what the whole argument is about.

At the present time the administration wants, as did the preceding one, subject to the findings of the two committees studying the matter—to build a simple hull. We want to put the other systems into it, because otherwise there will be another 3 or 4 years of delay; and in that event the RS-70, instead of being available as a fighting weapon when it finally came off the line, would have to be matched subsequently, at the cost of much additional time, with the bombing systems, the navigational systems, the radar systems, and the defensive systems, with the result that we would have a 4-year-old airplane before we would get it into fighting shape.

All the arguments have been made with great vigor and great eloquence by my distinguished friend, the Senator from Virginia, and my distinguished friend, the Senator from Mississippi; but let me say, in case some Senators have not thought of it, that today, when we are talking to the Soviets about the banning of nuclear tests and, some day or other, we hope, the banning of nuclear war, we must realize that if that ever should occur—and I do not know whether it will—the question would be, What would we have left? We would not have any B-52's, except obsolete ones, for we have stopped the production of them. We have ended the production of the B-58's. The B-47's are already obsolete. So we would have nothing left to go back to.

These congressional committees have concluded that our reliance exclusively upon missiles is dangerous to the safety of the Nation, and that we should go forward with the B-70, now the RS-70, as a full weapons system. That is what the Appropriations Committee has authorized, and in this measure has appropriated for; and I hope the Senate will sustain the committee in the intelligent and the wise judgment it has made in connection with this matter.

Mr. PROXMIRE. Mr. President, will the Senator from Virginia yield to me?

Mr. ROBERTSON. First, Mr. President, I wish to thank the Senator from California for so clearly stating the position of the committee. We acted on the best expert advice we could obtain. While we believe in economy, we do not want to put a price tag on our survival. So we felt it our duty—regardless of whether the Department uses the money—to make it available; and if the Department does not use it, at least our responsibility for the safety of the Nation will have been discharged.

Now I yield briefly to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I should like to ask two or three brief questions of the Senator from California, in order to make the record clear.

First, let me ask whether I correctly understood the Senator from California to say that the military chiefs agree that the appropriation of funds in addition to those requested by the administration is desirable and necessary for the RS-70 system.

Mr. ENGLE. I defer to the distinguished chairman of the subcommittee.

Mr. ROBERTSON. We did not take the subject up with the Joint Chiefs of Staff. They did not raise objection. The increase was advocated by General LeMay only.

Mr. PROXMIRE. That is my understanding, and I should like to quote a statement from Secretary McNamara on March 15, 1962, when he said that he has discussed this entire problem with the Joint Chiefs of Staff, and, again, except for the Air Chief of Staff, they all support the B-70 program recommended by President Kennedy.

So the consensus of all the military chiefs except the head of the Air Force is unanimously in favor of the amendment, and unanimously in favor of the level recommended by the President. Is that correct?

Mr. ROBERTSON. In the first place, we did not request the heads of the military services, who are not involved, to come in and gratuitously challenge the budget. That is the first point. The second point is that there is still some rivalry among the services as to who gets what. None of them get all that they request. When we talk about making a \$300 million or a \$500 million cut, bear in mind that the Secretary of Defense has recommended billions and billions of dollars.

They were not too happy. They agreed to go along with the budget, and if they so agreed, why should they come in and praise or commend one chief of staff who said, "I am not satisfied you are doing the best for national defense"?

Mr. PROXMIRE. The point of my argument is that the heads of the other services agreed with the recommendation of the Secretary of Defense.

Mr. ROBERTSON. For whatever that is worth.

Mr. ENGLE. Mr. President, if the Senator will yield, Senator Young asked in the committee:

General LeMay, this program does not have the full support of the Joint Chiefs of Staff, does it?

General LeMay. The Joint Chiefs of Staff feel that we should continue on with a development program. I think there was a difference of opinion as to the speed with which we should carry it on. But they believe definitely it should be carried on, and they all believe we should not abandon the manned weapon systems.

Mr. PROXMIRE. That is exactly the view of the Senator from Wisconsin and I believe of the Senator from Illinois. We take \$171 million of additional money to carry on the program. Nobody is saying that we should forget the RS-70 program and abandon it or abandon the manned bomber. We say we should follow the recommendation of the Secretary of Defense and the recommendation of the President.

Mr. ENGLE. We have lost 4 years, according to General LeMay. We will lose more than that if we do not act and let it go. We can be sure of one thing: The Navy will be in favor of the aircraft carrier, and the Army will be in favor of modernization of the Army to the full extent. With respect to what happens in the other part of the budget, they are not going to intercede and say very much.

What I have said, and am saying, is that when we get advice from the Military Establishment, going all the way from General White to General LeMay, that they were for the most rapid possible development of the RS-70, when we take the cumulative experience in the Congress of the United States, in the Committee on Armed Services, in the Committee on Appropriations of both the House and the Senate, incomparably we have a better view of what goes on than does the Secretary of Defense. Secretary McNamara may be an expert on a lot of things—making automobiles, for instance—and he is a brilliant and capable Secretary of Defense; but he does not know everything.

I will say this in his behalf: He came back again and after he had looked it over, as stated in the House committee report, he appointed two committees, one in the Air Force and one in the Department of Defense, to restudy the matter.

We think we ought to make the money available because if the study comes out the way we think it should, he will request and he will need the money.

Mr. PROXMIRE. But it is a fact that the House committee did not include the \$320 million increase over the request of the administration. The House went to about \$50 million over the administration request. The House is much closer to the position taken by the Senator from Wisconsin and the Senator from Illinois.

Mr. ENGLE. I will tell the Senator what the House did.

Mr. PROXMIRE. We are amending the House bill.

Mr. ROBERTSON. The authorization is the same as the appropriation. The Appropriations Committee and the House did not go along with the full amount, but it did raise the budget request.

Mr. PROXMIRE. The Senator is correct.

Mr. ROBERTSON. We got into the discussion because I sent the distinguished minority leader a copy of the statement I was planning to make. I had heard over the radio he was going to propose a cut of \$500 million. Then it turned out he was going to propose a cut of only \$320 million. I thought he was talking about the RS-70 program. We had expected to discuss that when we reached the amendment, which was submitted by the Senator from Wisconsin, and which was printed and which makes that very recommendation. I do not know who will take credit for making the motion, but at the proper time we shall have a debate on the amendment.

Meantime I would like to proceed with a few prepared remarks on this bill.

Mr. ENGLE. Will the Senator yield for a brief comment, in order to get the record straight?

Mr. ROBERTSON. Will it be a brief comment?

Mr. ENGLE. Very brief. I want to read from the report of the House accompanying the bill:

The committee has provided language in the bill making the funds requested in the budget, plus the \$52.9 million added by the committee available only for the RS-70 program. The committee has also provided funds and transfer authority in the emergency fund appropriation to the extent of \$300 million, which could be utilized at least in large part for this program, should the determination be made to do so.

Mr. LAUSCHE. Mr. President, what is the Senator reading from?

Mr. ENGLE. I am reading from the House report, on page 8, accompanying the Department of Defense appropriation bill for 1963, H.R. 11289. So the House has provided \$350 million extra, if we use round numbers.

Mr. ROBERTSON. Mr. President, my overall justification for presenting a spending bill of unprecedented size is that this Nation faces the possibility of destruction. I would like to quote from what I said in presenting the Department of Defense bill to the Senate last year:

No man dares to place a price tag upon our survival.

I shall not go into the details, today, of outlining to my colleagues the results of an all-out nuclear war; that there could be no victor in such a war, I am sure Mr. Khrushchev knows. Needless to say, no sane-thinking man in the high councils of any government wants such a war. I am firmly convinced that Mr. Khrushchev will not deliberately start a war that will devastate civilization, but I say this to the Communist

world—this military program which we present here today is an indication that it should never misjudge our military capability and that of our NATO allies. What I said last year, when I presented this bill to the Senate for its consideration, is still true today.

On August 3, 1961, I said:

The addition to our manpower and military hardware recommended to the Nation by its Commander-in-Chief will, of course, strengthen our military posture. But it will do far more than that—it will indicate to the world our willingness to fight for freedom, should there be no other alternative. But there is another alternative, and the diplomats of the chancelleries of the world will fail their day and generation if they do not discover it.

Again, as acting chairman of the Defense Subcommittee of the Senate Appropriations Committee, it is my privilege to present the largest single peacetime appropriations bill ever presented to the Senate. As a matter of historical interest, it is exceeded only by the Military Appropriations Act of 1944, which provided \$59 billion for the Army, which then included the Army Air Corps.

The total of this bill as reported to the Senate is approximately \$48.4 billion. This is an amount about \$590 million above the appropriation recommended by the House of approximately \$47.8 billion, and about \$522 million above the budget estimate of approximately \$47.9 billion. It is an increase over the appropriations provided last year of almost \$2 billion. I am confident that the wise utilization of these funds will help us to preserve what Sir Winston Churchill once termed "an uneasy peace."

As recommended by this committee, the bill contains the following appropriations:

For military personnel, \$12.9 billion.

For operation and maintenance, \$11.6 billion.

For procurement, \$16.8 billion.

For research, development, test and evaluation, \$7.2 billion.

Broken down by services, the bill contains the following approximate amounts:

For the Army, \$11.6 billion.

For the Navy, \$15.2 billion.

For the Air Force, \$19.6 billion.

For Defense agencies, \$2 billion.

#### EXPLANATION OF INCREASE OVER BUDGET REQUEST

A word of explanation is advisable regarding the increase of \$522 million over the budget estimate, to which I just referred, since otherwise the committee's action could be misunderstood. Senators will recall that last year the Congress provided \$514.5 million to continue the production of long-range bombers. However, the executive branch did not choose to utilize that money for the purpose intended and, instead, requested authority to use those funds in 1963 for other purposes. But the House did not agree to this. To the contrary, it provided that since the executive branch did not plan to utilize the funds for the purpose appropriated, they should be rescinded; that is, returned to the Treasury. This necessitated the appropriation of a like amount to provide funds



for the requested programs. The committee has concurred in the House action and, in so doing, has recommended an increase in the appropriation by \$514.5 million over the budget. Other actions recommended by the committee would result in a further net increase of some \$8 million, and this would bring the total increase to \$522 million. In final analysis, then, the committee recommends a defense program \$8 million larger than that requested by the administration.

I do not wish to take the time of the Senate today to attempt to detail every last penny of the utilization of this appropriation. On the other hand, as a Senate steward, I believe it is my duty to attempt to provide as full a picture as possible, within reasonable time limits, of this most important piece of proposed legislation. What I have to say will be divided into two parts. The first will deal with the changes which the committee has made in the bill as it came from the House. The second will deal generally with some of the more important aspects of the military departments which these funds will support.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. LAUSCHE. I direct the Senator's attention to the total figures. The report shows that, over the budget estimate for 1963, there is an increase of \$522,221,000.

Mr. ROBERTSON. I have already stated that.

Mr. LAUSCHE. Yes. There is a footnote that this includes \$514.5 million in new obligational authority in lieu of utilizing the sum of \$514.5 million appropriated for the current fiscal year for the procurement of long-range bombers, as proposed in the President's program.

Mr. ROBERTSON. The Senator is correct.

Mr. LAUSCHE. Will the Senator explain that footnote?

Mr. ROBERTSON. Last year we were not willing to see the production of B-52 bombers discontinued, so we provided \$514.5 million for those bombers. We did not spell out that the money would be spent for the B-52's, but we had pretty good evidence that, if the funds were released, they would be spent for B-52's. We said, "For long-range bombers; you build what you think is best." We knew what they would do.

That money was not used. So in September the last B-52 will come off the line. There will not be any more. There will not be any more of the B-58's. They do not have the range, but they have the speed, of the B-52's. When these planes wear out, we shall not have any more long-range bombers.

The Department did not spend the money. The Department representatives this year said, "Let us spend the money this year for other purposes, and we shall not have to put the money request in the budget." They said, "If you will remove that limitation, we shall have \$514.5 million in the clear." We said, "Oh, no. We want you to have in your budget what you actually are asking to spend." The House said, "We

rescind the authority, and we add \$514.5 million to your budget estimate." We concurred in that action.

That maneuver put the total figure \$514.5 million above the budget estimate. Then we added \$8 million more upon the urgent request of the Reserve components about special training for the Reserves of the Navy and the Air Force. Actually, this results in a figure of only \$8 million above the true budget estimates.

Mr. LAUSCHE. If I correctly understand the Senator's remarks, the request was that the authority to spend the appropriation of \$514.5 million made for the 1962 fiscal year be continued, but that the restrictions be removed.

Mr. ROBERTSON. That is what was asked.

Mr. LAUSCHE. That \$514.5 million was not included in the budget estimates, so when the committee recommended its inclusion it did not recommend an increase in overall expenditures?

Mr. ROBERTSON. That is true. This increased the official figures for the budget estimates. That was a book-keeping increase. There was no actual increase in the spending involved.

I appreciate the fact that my friend has brought that up, because it is a rather tender matter to have the committee come to the Senate with a bill which appears to include \$522 million above the budget estimate when, as a matter of fact, it is only \$8 million above the budget estimate. There is a very good explanation of that increase, which we shall give when we reach those items, if any Senator has any question respecting it.

#### CHANGES FROM HOUSE ACTION

First, then, I shall speak of the changes which have been made in the House bill.

#### RESERVE COMPONENTS

One of the most controversial issues before the committee, and one with which I am sure Senators are all familiar, is that dealing with the Reserve components, and, more particularly, the Army Reserve and the Army National Guard. The committee has taken specific actions to bolster the Reserves in all three services, which I shall describe in turn.

For the Army Reserve components, the budget as submitted in January requested funds for a combined strength for the Army Reserve and the Army National Guard of 670,000. It was not indicated at that time exactly how this total would be divided between the two organizations. In April a budget revision reduced the total sharply downward to 642,000, of which 275,000 was for the Army Reserve and 367,000 was for the Army National Guard.

In its consideration of the measure, the House of Representatives provided funds to maintain the Army Reserve at 300,000 and the Army National Guard at 400,000. The committee has concurred in this action. In so doing, the House and Senate have repeated a pattern which has recurred almost annually for a number of years. Regardless of

administration, the executive branch has attempted to scale down below the total of 700,000 the strength of the Army Reserve components. In each instance the Congress has vigorously resisted such efforts. At times, it has been necessary to place in the law mandatory language precluding the possibility of planned reductions. At other times, as a result of understandings with the executive branch, this has not been necessary. For fiscal year 1963, thus far, no such understanding or assurance has been given. Therefore, the committee had no choice but to provide in the bill mandatory language which, for fiscal year 1963, will compel the Department to program its Reserve forces so as to achieve an end strength in the Army Reserve of 300,000 and the Army National Guard of 400,000.

I need not remind this body of the important part which our Reserve components—Army, Navy, Marine Corps, and Air Force—have played in past national emergencies. In 1916, in 1917, in World War II, in the Korean conflict, and during the Berlin crisis, we were thankful to find them in our first line of defense. As I speak here today, there are Reserves and National Guard troops serving on active duty. Under the circumstances, the committee believes that prudence would dictate no diminution in our Reserve strength posture.

A related problem is that dealing with the proposed reorganization of the same Army Reserve components. The Department of Defense has proposed to reorganize the Army Reserve and Army National Guard by increasing the strength of high priority units, eliminating others. Later, I believe, it is planned to reorganize them into the ROAD concept, comparable to that which the Regular Army is presently undergoing. Testimony indicated that this reorganization could have a marked effect on the number of units in all geographical locations of reorganized components. At the same time, the committee was not unmindful of the need for continued modernization of all defense elements. Therefore, a provision has been placed in the bill which provides that, insofar as is practicable, the number and geographical location of units will be maintained throughout the country. Throughout the years, the Army Reserve and Army National Guard have been reorganized at increasingly frequent intervals. It is the opinion of the committee, and so stated in its report, that these reorganizations should not impair the mobilization readiness of the forces involved. And it is the hope of the committee that great care will be exercised in such reorganization so that no State will lose substantial segments of its Reserve forces.

#### NAVAL RESERVE

In another action, for the Naval Reserve, the committee has added \$4,174,000 to increase the average drill pay strength to 125,000 to accommodate reservists to be released from active duty in August, to increase the number receiving 2 weeks active duty, and to accelerate recruit training.

## AIR FORCE RESERVE

For the Air Force Reserve, the committee has added \$6.7 million to increase the paid drill strength in the Air Force recovery program, increase the number of drills in that program from 24 to 48, and provide a 75-percent manning level for those in the program.

## OPERATION AND MAINTENANCE APPROPRIATION STRUCTURE

Turning to another matter, the House was disturbed over the continued utilization of maintenance funds for operational requirements by the individual military departments. The resulting deterioration of physical plants would, over the years, cause higher costs in replacement than would otherwise be the case. Therefore, the House split eight different operation and maintenance appropriation requests into two each: "Operation" and "Maintenance of real property facilities." This action would preclude the use of maintenance funds for operation, but would permit, by the use of a proviso, the use of operation funds for maintenance of real property facilities.

This committee was wholeheartedly in agreement with the House objective. However, testimony indicated that such an agreement would force the military departments into the establishment of somewhat cumbersome financial machinery. For this reason, the committee has restored the budgeted single appropriation titles but, in each case, has included a proviso which assures that the funds provided for maintenance of real property facilities will be used for no other purpose. It is believed that this revision accomplishes the desired objective of the House, avoids complicated financial procedures, and permits the Department of Defense more flexibility in providing funds for maintenance than would otherwise have been the case.

## AIRCRAFT CARRIER

I should like to discuss now the attack aircraft carrier, funds for which are included in this bill. Long ago, Oliver Cromwell discovered that a man-of-war is the best ambassador. While I do not believe this is necessarily true, it points up a historical fact which, in part at least, is as valid today as when he uttered that statement 300 years ago. Today's men-of-war are called by different names and those names include fantastic weapons of which Cromwell never dreamed. Two of these are the attack aircraft carrier and the strategic manned bomber. I wish to discuss each of these in turn, because they account for substantial amounts in the bill.

This bill includes \$280 million for one conventionally powered attack aircraft carrier of the *Forrestal* class. When operational, it will replace one of the *Essex* class carriers, built during World War II, which are rapidly aging and must be replaced. In addition to becoming increasingly uneconomical to repair and maintain, they are increasingly hazardous to modern aircraft performance, both from the standpoint of personal safety and from the aspect of utilization of equipment.

In his testimony before the Senate committee, the Secretary of Defense

argued strongly for funds to build this carrier. I quote from his testimony:

There are many potential trouble spots in the world where the attack carrier is and will continue to be the only practical means of bringing our air striking power to bear. Carrier airpower can be employed without involving third parties, without invoking treaties, agreements, or overflight rights. And, as has been demonstrated many times before, the carrier task force is a most effective means for presenting a show of force or establishing a military presence, which often has helped to maintain the peace and discourage hostilities. There is no reason to expect that the need for this form of airpower will diminish in the future. The fact that they may be vulnerable to attack in a general nuclear war does not detract from their value in limited war.

We are all aware of the valuable role which the aircraft carrier has played in the recent past. One needs mention only a few geographic areas—Korea, Lebanon, the Formosa Straits—to pay tribute to the effectiveness of the role the carrier has played in convincing potential aggressors that we are not bluffing in our determination to maintain world peace and stability. Without the availability of the aircraft carrier force in the gulf of Siam, the recent landings of our marines in Thailand might have proved to be a much more hazardous operation. The cost of an aircraft carrier is not small. But the cost of what its presence in the troubled spots of the world may well have avoided is incalculable. The 6th Fleet and the 7th Fleet, with their carrier forces as a backbone, have paid dividends far beyond their cost.

The carrier forces of the Navy are of extreme importance because of their ability to exert military power in varying degrees, not only in nuclear delivery capability but in the selective scale any particular situation may require. The carriers of the U.S. Navy represent the only weapon system in the American arsenal today which is simultaneously prepared to wage a general war, a limited war, or simply to make a show of force whenever and wherever necessary in support of our national policy while contributing to the fulfillment of all naval tasks.

We must continue into the unforeseeable future to have our aircraft carriers provide airborne weapons support to our amphibious forces, whose abilities may prove to be as great an asset to our country as they were in the large-scale operations carried out during World War II. The Chief of Naval Operations, Admiral Anderson, during our hearings pointed out:

There is still no more efficient means of projecting American fighting men in quantity into enemy-held areas than by utilizing well-armed, superbly conditioned amphibious units.

The aircraft carrier is one of the most integral parts of a successful amphibious operation.

RS-70

And now let me speak about the RS-70, or as it was formerly known, the B-70. Some Senators will recall that after World War II there was a determined effort to limit the size of our strategic bomber force. The committee felt that

this was unwise. In the 1948 defense supplemental appropriation the committee, and subsequently the Congress, approved about \$750 million over the budget estimate to bring our strategic bomber force from the 48 group goal toward a 79 group goal. This was a highly controversial issue. Both sides expressed strong arguments, but the committee persisted in its determination. Senators know what happened. The funds were appropriated, then impounded. Suddenly came Korea. A global war hung in the balance. The funds were available and were released.

And now, for the first time since then, we find that it is planned to stop production of our strategic bomber force. In a few months there will be no more B-52's coming off the production lines. There will be no more B-58's. Production of the B-47 was stopped in the mid-1950's. Every plane which is lost will be one less in our inventory. There will be no replacements.

Simply stated, I think the question is, "Are we prepared in the years immediately ahead to place full reliance on the missile?" A second question—not asked as frequently, but just as important—is "In our measured judgment will the ICBM's located here at home and our ICBM's in foreign countries and our Polaris missiles under the seven seas prove as effective a deterrent to the aggressor as our manned bombers have proved through the years?"

Recently, Gen. Lucius Clay answered that question very simply. He told me:

We cannot implement foreign policy with a missile.

The total cost of the present program as outlined by the Department of Defense is about \$1.3 billion. To date \$800 million has been expended. In addition \$220 million is being allocated in the fiscal year 1962 program. The fiscal year 1963 budget program called for \$171 million. This would leave about \$100 million to be spent in future years.

The amount included in the budget request would continue a limited development program, which is mainly to demonstrate the technical feasibility of the aircraft structure and configuration, as well as certain major subsystems required in high speed, high altitude environment.

To this amount the House added \$52.9 million, or a total of \$223.9 million. The committee recommends a total of \$491 million. The additional funds would provide a start on the development of the reconnaissance sensor aspects of the subsystem, as well as of in-flight refueling, strike missile, environmental control, and autopilot, none of which is possible under the present program. The full \$491 million will also provide for a start on new test aircraft in addition to the three now in the program.

The Senate committee listened long and attentively to the arguments on this issue. The Secretary of Defense did not specifically oppose the additional funds provided by the House but indicated he would restudy the matter. On the other hand, a strong presentation was made to provide a total of \$491 million—the amount which the Congress had author-



ized for the full development of the RS-70 weapons system. Gen. Curtis LeMay, Chief of Staff of the Air Force, and Gen. Bernard Schriever, commander, Air Force Systems Command, were called before a special session of the committee to testify. They did not ask to testify, but were called to give their personal opinions, as two of the greatest experts in the world on strategic retaliatory forces. They had no prepared statements. What they told us was in response to specific questions. The acting chairman asked General LeMay if he thought we should put all our dependence on guided missiles. General LeMay replied:

It has always been the Air Force view and my own personal view, too, that we need both manned and unmanned systems. All of our war gaming has shown that you can conduct a more efficient campaign if you use both missiles and manned systems. You can take advantage of the good points of each system and the combination gives you a more efficient attack than you would get with either one of them alone.

He was asked what could be expected from the RS-70. General LeMay replied:

We think it will cover a wide range of tasks at various levels of conflict, in which the speed of response, discrimination, on-the-spot action, flexibility of weapons choice and vehicle recovery are of very great importance.

In reference to the failure to make funds available for the full weapons system he was asked to what extent has this failure slowed down the research and development program. General LeMay answered:

I think the program has been slowed down to the extent that it has been delayed by at least 4 years.

General Schriever was asked what part of the total program could be accomplished with the funds provided by the House. He replied:

You could just continue the XB program which is the three aircraft. We would be unable to initiate any of the subsystem developments leading to a weapons system except carry on to some degree the radar which is the reconnaissance part of the system. But there are other things that have to be added, such as command and control. You need to be able to communicate from over enemy territory back to the home base, for example. You need environmental control, the ability to refuel, the strike missile—these are some of the subsystems that must be gotten underway if we are to get to a weapons system.

He was then asked if the additional funds above the House allowance were not provided, how much would it delay placing the RS-70 into an operational availability. General Schriever replied:

You would be delaying 1 year the decision to go toward an RS-70 configuration, which would result probably in more delay than 1 year in a weapons system because there would be a phasedown of the industrial base.

The committee was impressed with the information submitted by the Air Force which indicated that it was essential to our continued superiority to have a diversification of our forces to include both manned and unmanned aerial vehicles since no single weapons system can do

the entire job. General LeMay stated that in general, diversification provided four paramount advantages:

First, it gives us a flexible or versatile capability so that if one method of attack is rendered ineffective because of enemy defenses, we have other methods available;

Second, it forces the enemy to expend maximum effort and resources in his attempt to defend against all methods of our attack;

Third, it compounds the enemy attack problems, both in types and numbers of weapons, which in turn enhances the survivability of each of our systems; and

Fourth, the manned systems give us a capability to observe and report the physical evidence of an enemy's situation. This information is a vital requirement for the conduct of war.

That is the record. Senators who are interested may find the full discussion in the hearings before you. The committee was faced with the decision as to whether the position of the Secretary of Defense, whose opinion we value, was correct, or whether we might be jeopardizing the future defense of our Nation by further delays in this program. The decision of the committee, by an overwhelming majority, was to provide the funds necessary to implement a complete RS-70 weapons system at the earliest date possible. You will find a full discussion of the RS-70 on page 3 and the pages following in the committee report.

I shall discuss now some other changes which the committee has made in the House bill.

#### AIRCRAFT AND MISSILE PROCUREMENT AND MANAGEMENT

The House made reductions totaling \$134 million in three accounts for the Navy and Air Force dealing with aircraft spare parts procurement and management. This reduction was to encourage a thorough analysis of inventory and accounting methods, procedures, and practices and to eliminate waste and excess procurement. The two departments requested restoration of the full amount. The Air Force flatly stated that a reduction such as that contemplated would definitely jeopardize its capability to support the aircraft and flying hour programs. The Navy stated that the proposed reduction would reduce the state of military readiness of Naval aviation, create an unacceptable level of spare parts, and place such a burden upon the newly implemented management system that a proper evaluation of the system cannot be made. The committee recommends that the funds be restored.

At the same time, the House made reductions totaling \$48 million to encourage more competitive subcontracting in aircraft and missile programs. Your committee has not approved the requested restoration of half of that sum, but in concurring with the House reductions, does so with the understanding that these reductions are not intended to be made in any specific program area but generally, in recognition of the existence of a number of weaknesses in the procurement process of which lack of com-

petitive procedures, especially in the subcontracting area, is one.

The committee has received periodic reports from the General Accounting Office indicating that improvement is needed in virtually all areas of Defense contracting. Disturbed by this, the committee during the hearings pointed out to responsible officials of each of the military departments the need for more effective controls over procurement. The report of the committee strongly urges the Department of Defense to redouble its efforts to exercise greater supervision over contractual procedures in order to minimize wasteful procedures. The committee recognizes the problems with which many dedicated Defense officials are dealing in this area. It recognizes the vast scope of the procurement procedure. But it believes that more must be done to prevent excess purchasing, duplicate purchasing, and questionable bidding procedures.

I ask unanimous consent to have printed in the Record at this point a letter which I have received from the Secretary of Defense concerning policies on contracting procedures.

There being no objection, the letter was ordered to be printed in the Record, as follows:

JUNE 7, 1962.

HON. A. WILLIS ROBERTSON,  
Chairman, Department of Defense, Subcommittee of the Senate Appropriations Committee, U.S. Senate.

DEAR SENATOR ROBERTSON: I have your telegram of June 6 relative to the conversion of a victory ship to a missile range instrumentation ship. I have also seen your letter of the same date to the Chief of the Bureau of Ships on this subject. Please accept this letter as the reply of this Department to both messages. In addition, I am familiar with the specifics of the related problem which has been of concern to Senator HRUSKA on a different procurement.

These cases raise two principal issues. The first of these has to do with the compliance by the Department with the provision, in recent appropriation acts, requiring award by formal competitive bidding whenever practical. The second has to do with the propriety, in cases where formal advertising is not practical but it is possible to buy by competitive negotiation, of giving consideration to late proposals submitted after the date specified for the receipt of proposals.

As we have explained to Senator HRUSKA, the requirement in the appropriation act for formal advertising has been expressed in our procurement regulations and is being followed throughout the Department. Pertinent excerpts from the Armed Services Procurement Regulation are attached. We are taking steps to provide regular reviews of our procurement organizations to assure compliance.

It is apparent that, in making over 500,000 formal contracts in the course of a year, there will be cases where the practicality of using formal advertising involves borderline judgments on which there may be disagreement. There may be some other cases where simple mistakes are made. It is our endeavor to assure that mistakes are kept to an absolute minimum and that, wherever possible, borderline decisions are resolved in favor of formal advertising.

I am informed that the victory ship conversion to an instrumentation ship for the Pacific missile range involved specialized capabilities and required that the working plans and detailed designs be provided by the contractor. The Navy's specifications were of a performance type and it was of

concern to the Navy that the successful offeror be of more than marginal competence to assure superior design and performance. Accordingly, the Navy concluded that formal advertising would not be practical and that it would be in the Government's interest to handle this procurement by competitive negotiation.

I have now reviewed this decision and consider that this was a borderline decision. I am taking steps with the Secretary of the Navy to assure that more of our shipbuilding and conversion contracts are handled by formal advertising. However, I feel that this is a problem which requires very careful case-by-case judgments. I can assure you of our intention to comply strictly with the letter and spirit of the appropriations act provision.

The second issue—that having to do with the treatment of late proposals—arises only in connection with competitive negotiated procurements. It has been our policy, in such procurements, to consider late proposals or revisions thereof where to do so would be of significant advantage to the Government. The failure of the Bureau of Ships to award the victory ship conversion contract to the Norfolk Shipbuilding & Dry Dock Corp. on the basis of its initial proposal stems from its compliance with this policy. After negotiations had been completed, but before award, a price reduction was offered by a competitor. Since this reduction was significant, the Bureau of Ships determined that it must be considered. Accordingly, it offered all bidders an equal opportunity to submit new quotations with a revised cutoff date.

This case and several others, which we have recently encountered, have clearly pointed to a need for an immediate change in our procedures for handling late bids in competitive negotiations. I have concluded that a procedure which normally results in the rejection of such bids, while it occasionally may result in a higher price to the Government, will, on the average, reduce our costs by assuring that we receive the best prices in the original bidding. In addition, it will preserve the integrity of the competitive system and avoid chicanery or the appearance thereof. Accordingly, I have directed that our procurement regulations be changed immediately to assure that late bids in competitive negotiations are rejected. The only exceptions will be where the consideration of the late bid would be of extreme importance to the Government, as where it offered some important technical or scientific breakthrough. Such exceptions will require approval at secretarial levels within the departments.

I regret that our present ground rules have resulted in the situation you described in your telegram. However, since these ground rules had been published, have been in effect for several years, and governed our relations with all bidders in this procurement, I do not feel that we can waive them retroactively. Accordingly, we are proceeding with the rebidding of this case. You may be assured that similar cases will not arise in the future.

Sincerely,

ROBERT S. McNAMARA,  
Secretary of Defense.

Mr. ROBERTSON. As an economy advocate in Congress, I am not so sanguine as to believe that every dollar in this bill will be wisely spent. But I am convinced that the programs for which these funds are requested are valid and necessary to our defense effort. I am not convinced that every one of the 3½ million military and civilian personnel in the Defense Department is steeped in an urge to economize. But I am convinced that the leaders of the Department and

their assistants are doing all in their power to make every defense dollar count toward national protection. I believe that there are areas, such as I referred to in defense procurement, where considerable improvement is needed. It is my hope that those in charge will continue to do all in their power to improve procedures which have as their objective the elimination of waste and extravagance.

#### FINANCIAL ADJUSTMENTS

In four areas of financial adjustment, the House made reductions of \$221 million for which the Department requested restitution of \$110 million. This committee has restored these funds as follows: Reductions totaling \$116.5 million were made in the belief that additional recoupments could be recovered because it was believed that the estimates were too low and that additional recoveries could be made. The Senate committee has restored \$40 million of these funds as a result of testimony which indicated that for the Army, as a general rule, additional costs were resulting from increased labor and material costs requiring more upward than downward revisions in prior year contracts. It was indicated that in fiscal years 1960, 1961, and 1962 to date, increased costs have already exceeded canceled obligations by about \$176 million with the probability that approximately another \$48 million increase will eventuate before the end of the year. For the Navy, testimony indicated that there currently exists a \$45 million shortage in the shipbuilding account so that, if recoupments not previously foreseen do materialize, they will be needed to offset this shortage.

A similar situation exists in regard to the so-called generation of free assets from reimbursable orders not requiring replacement in kind. The House made reductions totaling \$39.5 million on the basis that the budget estimates of free assets are less than the amounts which will be realized. The Department requested that \$25 million of this total, all for the Army, be restored. The committee recommends approval of the \$25 million restoration, since it was clearly indicated during the hearings that estimates of recovery of free assets from stock sales have been overstated rather than understated and that past experience has shown that the additional funds will not materialize.

In a third area, the House made reductions totaling \$45 million on the basis that it was likely that unobligated balances will exceed the budget estimates, and that, even if these estimates were to remain firm, the balances were considered to be excessive. The Senate committee has restored these reductions, as requested by the Department. It based its action on testimony which indicated that the unobligated balances are planned to support specific programs and that all the funds are earmarked for these specific programs. In addition, some unobligated balances are required to insure continuity of contracting activities throughout the year. Thus, the committee's action insures the continuation of programs which otherwise might be curtailed.

#### SHIP REPAIR, ALTERATION, AND CONVERSION

For many years, there has been a statutory division of work on new construction of ships between public and private shipyards. No such division has previously been in effect in regard to the repair, alteration and conversion of naval ships. For fiscal year 1963, the House, for the first time, imposed monetary limitations in the bill which, in effect, would limit repair and alteration work in the appropriation, "Operation, Navy" and the conversion work in "Shipbuilding and conversion, Navy" to 65 percent of the total in each appropriation.

The committee has approved an amendment submitted by the Department of Defense which would generally accomplish the House objective. In a new section 540 of the bill it is provided that 65 percent of the repair, alteration, and conversion of naval vessels shall be placed in Navy shipyards and 35 percent in privately owned shipyards. This language permits the Navy Department somewhat greater flexibility in administering the programs while accomplishing the same objective as the House desired. In an additional proviso, the committee has included language which provides the President with discretion in the placement of such orders if it be in the public interest.

I digress to say that both the distinguished Senators from Hawaii have asked me about that provision. I am glad to yield to the Senator from Hawaii [Mr. FONG], who wishes to ask a question about the provision in the bill.

Mr. FONG. As the distinguished Senator from Virginia knows, at the navy yard at Pearl Harbor there are 9,000 employees who are deeply concerned with respect to section 540 of the bill. I ask the distinguished Senator from Virginia whether section 540 would give the Navy Department greater flexibility than the House-passed bill?

Mr. ROBERTSON. It certainly would. The bill as passed by the House contained a direct limitation of 65 percent, which would apparently be 10 percent less than the Navy yards are now getting. We found that the private yards are receiving almost 52 percent of the dollars spent. During World War II they built up a force of 50,000 employees, who were doing Government work. They still have 50,000 employees, whereas the employees in the public yards have been reduced by 100,000. There are no private yards in Hawaii. The public yard must repair all the vessels of the Pacific Fleet. We could not bring an injured vessel all the way to California, Oregon, or to the wonderful Bremerton yard in Washington State, for example. So we thought it very essential, when in the public interest, that the President be given this authority and that he be not bound by the limitation. So my distinguished colleague from Hawaii need not worry. The yard will be maintained. It is absolutely necessary in the public interest that the yard be maintained, and the bill, as amended, would give the authority to the President to do so.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.



Mr. SALTONSTALL. I wish merely to add to what the Senator from Virginia has said that it was brought home quite conclusively to us by Admiral Anderson, the Chief of Naval Operations, that he believed that the 11 Navy yards were essential to be maintained so that in time of emergency they would be available for use. He believed that the 65-35 percent, with authority given to the President to change that ratio if he believed it in the public interest, was not inconsistent. He would be able to make it possible for the Government to carry on and maintain the Navy yards so that they might be available in time of emergency, and might be used at the present time.

Mr. FONG. Are we to understand that the Secretary of the Navy is satisfied with the proviso?

Mr. ROBERTSON. The proviso came to us from the Secretary of Defense. The Secretary of the Navy told us, not publicly, but privately, that he was not unduly concerned since the President would have the right to make the change, and, in effect, that they knew the location of the door to the White House.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. SALTONSTALL. If the Senator has read the record of the public hearings, the Secretary of the Navy went even a little further than has been indicated by the Senator from Virginia.

Mr. ROBERTSON. When a committee hearing results in 1,800 pages of testimony, one cannot remember every line of testimony. But I know that the Secretary of the Navy was reasonably well satisfied, and if he is better satisfied than I thought, I will stand corrected. But I do not want him to be too well satisfied, because then someone on the other side may not be satisfied. That is the situation which confronts us.

Mr. FONG. Does the Senator feel that, with the proviso, military considerations will override fiscal limitations?

Mr. ROBERTSON. In the mountains of Virginia, where there were once private mills, there was an old saying: "As safe as old wheat in the mill."

So far as the yard in Hawaii is concerned, the Senator is "as safe as old wheat in the mill." The Government cannot do without the yard in Hawaii. I cannot guarantee that some other yard might not be curtailed. However, the Secretary of the Navy stated that it was essential to maintain all of the yards. He felt that their workload would continue. It is claimed that the work will be increased.

Mr. FONG. I thank the Senator.

Mr. ROBERTSON. What I have said includes the Brooklyn Navy Yard, one of the largest in the Nation.

Mr. KEATING. The Senator is correct. I wish to express my gratitude to the distinguished Senator from Virginia [Mr. ROBERTSON], the distinguished Senator from Massachusetts [Mr. SALTONSTALL], and other Senators for the great interest they have shown in the problem and the way they have handled it. I sincerely hope that the solution which has been arrived at will be an

equitable one to yards like the Brooklyn Navy Yard. The assurances that the Senator seems to have received coincide with those I have had informally that the program will not interfere with the operation of the yard in Brooklyn or result in a drop in employment there.

Mr. ROBERTSON. We thought it a fair compromise under which both private yards and public yards could expect fair treatment.

What I have said applies also to the yard in the State of our distinguished friend, the Senator from South Carolina [Mr. THURMOND]. I visited that yard about 6 weeks ago. It is not the largest in the country, but it is one of the best. About 7,000 workers are employed in the yard, and it is leading the Nation in assembling the Polaris submarine. That yard is doing excellent work.

Mr. THURMOND. I thank the distinguished Senator from Virginia. I am pleased to hear his report.

Mr. STENNIS. Mr. President, as I understand the situation, there is a special assembly of those sponsoring the public-owned yards. The idea is to say enough to take care of those yards without arousing any opposition. I do not oppose the Navy yards which are publicly owned. They have a place, and an important service to render. They render service in a very fine way. But there is another side to the picture, which is that of the privately owned yards. I am thinking primarily of them.

I am not talking about the large ones. Let me ask this question. After all is said on the floor, the language the Senator has put in the bill means what it says, does it not?

Mr. ROBERTSON. That is correct. The President must say affirmatively that it is in the public interest to exceed the 65 percent.

Mr. STENNIS. Otherwise, the President failing to do that—

Mr. ROBERTSON. The hands of the Navy will be tied. In addition to that, I was responsible for a letter dated June 7 from the Secretary of Defense. They had asked for competitive bids on \$5 million or \$6 million on a reconversion job. The Norfolk Shipbuilding Yard got the job after a California company could not give bond, as a result of which the Norfolk people were the low bidder. After the bids were opened, another company submitted a bid below any other bids. We complained about accepting bids after they had been opened. They were opened, and new bids were invited. One of the previous bidders then cut \$300,000 below any other bid, thereby obtaining the contract. The Secretary of Defense wrote me a letter on June 7, saying that, not only on advertised competitive bids, but also on negotiated bids, would they open the bidding, and that the lowest responsible bidder would get the contract. That is a great protection for private enterprise.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. STENNIS. Except in cases where it would not be practicable to do so for some reason or other.

Mr. ROBERTSON. Oh, yes. We have a general law that, if no bid within reason is received which is in the public interest, all bids can be rejected. However, when that is done, it is necessary to advertise for bids, and then everyone can come in again with full knowledge of what everyone has bid before. There is no secret about it. So I will say again that this is a compromise. It means what it says. The President must take affirmative action and say that it is in the public interest, and both public yards and private yards can accept it in confidence that both will be protected.

Mr. STENNIS. This was fought out in committee, and it was discussed, and several votes were taken on it. Is that correct?

Mr. ROBERTSON. That is correct.

Mr. STENNIS. There was prevailing a spirit of arriving at an adjustment, without any favoritism to anyone.

Mr. ROBERTSON. That is right.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. JAVITS. I have had the benefit of hearing some of the discussion on the question of the proviso. I should like to say to the Senator from Virginia that, coming from a State where in some measure we have both problems, what the committee recommends seems to me to be a fair resolution of what for people like myself promised to be an extremely thorny subject. I thank the Senator.

Mr. ROBERTSON. The Senator from Virginia finds himself in exactly the same situation in which the Senator from New York finds himself. We have a public yard at Portsmouth, known as the Norfolk Shipyard, and at Newport News we have the biggest private yard in the world. So the situation is the same as in New York, where there is located the Brooklyn Navy Yard and also the Bethlehem Yard. They are two fine yards. This provision takes care of both of them. It is a fair arrangement with respect to what is involved, without showing any favoritism to anyone. We do take the House figure of 65 percent, unless the President says otherwise.

Mr. JAVITS. I hope very much the Senate will go along with the Senator from Virginia.

Mr. ROBERTSON. I thank the Senator.

#### RESEARCH GRANTS

In another area of some controversy, the House placed a limitation on research grants to provide that the indirect costs of such grants shall be limited to 15 percent of the direct costs. The committee has stricken the amendment from the bill in the hope that in the conference with the House on this and other appropriation bills a uniform governmentwide limitation on research grants may be worked out. In accordance with this action, a restoration of \$4 million in the Army and Air Force was recommended.

A number of relatively minor changes have been made by the committee. They are all described in the report in detail. I shall summarize most of them at this time and will gladly answer any questions you may have.

Restorations were made as follows:

Prepositioning of supplies for the Army, \$8.5 million; publication of technical manuals, Navy, \$1.7 million; civilian personnel, Marine Corps, \$1 million; Defense Supply Agency \$5 million; security review functions, \$66,000; Army repair parts procurements, \$10 million; Sparrow III missile production, \$4,190,000; shipbuilding administrative expenses, \$2 million; shipyard modernization, \$6.8 million; C-141 aircraft procurement, \$10 million; corrosion control for Air Force aircraft, \$2 million; communications improvements, \$12.5 million.

A minor change placed woven silk yarn in the same procurement category as cotton and wool.

#### HOUSE INCREASES

I have already described in detail certain House increases above the budget dealing with the Army Reserve components and the RS-70. The House made other increases above the budget which your committee has also approved. These include funds for additional T3J-1 aircraft and Mark 46 torpedoes, an addition of \$42 million for the man-in-space Dyna-Soar program, \$2 million for a water connection to provide for procurement of water for naval and marine installations in the Beaufort, S.C., area, and \$122,000 for the National Board for Promotion of Rifle Practice.

This concludes my discussion of specific monetary actions.

#### GENERAL AND LIMITED WARFARE

I propose now to provide a brief picture of the general objectives of what I believe to be our defense policy, and then to outline, with the funds already provided and those which you are asked to pass upon today, how in our military departments these objectives have been and will be attained.

#### GENERAL WAR

First, let me speak to our military requirements for general and limited warfare. With respect to general war, our policy remains as ever: to maintain at all times forces fully adequate to deter war through our recognized ability to destroy any attacker. Let me state for the record, after my close association with this bill, that there is no doubt in my mind that we already have that capability.

However, it is obvious that in the past several years the potential character of general war has been steadily changing as the threat of the large intercontinental ballistic missiles became more and more a reality. In response to this shift, our own forces have been and are being modified, both offensively and defensively, as swiftly as possible, with enlarged emphasis on those weapons systems which could survive an all-out surprise nuclear attack. To this end a highly sophisticated, protected and efficient system of command and control of our general war forces has been developed so that continuous, uninterrupted command will be maintained over our forces.

With this same objective in mind, a substantial increase in emphasis has been given to those weapons systems

which inherently have a high degree of survivability in a nuclear war environment. Thus, the Polaris submarine-launched missile program has been substantially increased as has the program for the land-based Minuteman ICBM, which lends itself to hardening and dispersal. The number of bombers on the 15-minute alert has also been increased, and will be able to take full advantage of the BMEWS warning system. And because the B-52 will continue to be the mainstay of our manned bomber force for some time, the development and production of the Skybolt air-to-ground missile has been accelerated. Penetration aids for our ballistic missiles, a backup for the SAGE system, additional Nike-Hercules ground-to-air missiles, the continued development of the Midas satellite warning system, ASW measures and countermeasures—all are additions to our general warfare arsenal.

#### LIMITED WAR

An even greater percentage of increased funds is being provided for limited warfare requirements. For a number of years this committee fought to maintain the strength of the Army. I am happy to report that the number of combat-ready divisions has been increased by 40 percent and that two new permanent divisions will shortly replace the two National Guard divisions which are scheduled to return to Reserve status in August. Thus, while the strength of the Army will fall considerably below the 1962 yearend strength, it will be substantially above that of the previous year. The number of tactical air squadrons in the Air Force has been substantially expanded to provide air support for the Army. A total of about \$2.5 billion—about the same as for the current year—has been requested for Army hardware. To move the limited war forces promptly to wherever they may be needed, \$500 million has been provided for procurement of airlift aircraft. The Army's special forces for guerrilla warfare have been increased.

The emphasis which has been placed on the above items, I am convinced, will give us stronger strategic retaliatory forces and continental air defense forces—and what is fully as important—will help them survive a general war strike. The modernized general purpose forces for limited war, together with an expanded airlift, will provide our military forces with the versatility necessary to present-day conditions.

And now I shall pass on to the composition of our three military departments.

#### DEPARTMENT OF THE ARMY

This bill provides for an Army with a yearend strength of 960,000 men. This is a substantial reduction from the yearend strength of 1,081,100 for the current year, which was brought about by the calling up of Reserve Forces during the Berlin buildup, but it is approximately 100,000 more than the 857,933 yearend strength for fiscal 1961.

Testimony submitted to our committee indicates that Army forces in the future will be more flexible and better suited to the strategic problems facing us in the world today. Army divisions

are now preparing for employment under widely varied conditions of climate and terrain. The new ROAD division concept enables a flexibility which permits ready deploying of divisions, and task grouping within the divisions, to move to any known mission.

At the beginning of fiscal year 1962, our forces in Europe consisted of five divisions plus two battle groups in Berlin. At the end of fiscal year 1963, the Army will have even greater strength in the European theater.

In the Pacific, we had three divisions in the beginning of fiscal year 1962 and one separate battle group, located on Okinawa. This budget provides for strength increases for additional combat and support units.

One of the ever-increasing aspects of the Army's fighting forces is the strategic Army force located in the United States. At the beginning of fiscal year 1962, the active portion of the Strategic Army Forces consisted of six divisions, only three of which were active division forces maintained at full strength and ready for deployment. By the end of fiscal year 1963, the Strategic Army Forces will consist of eight full-strength Active Army divisions, backed up by realigned reserve component structure.

This budget also provides for an improvement in the Army's capability to deploy balanced air-ground combat forces. This has been initiated with the organization of the U.S. Strike Command. This joint headquarters has operational control of combat ready units of the Continental Army Command and the Tactical Air Command located in the United States. One of the problems for the strategic reserve has been the problem of airlift and sealift. I am pleased to report to the Senate that great improvements have been made in the past 2 years in this area and that we are making a substantial improvement in this 1963 budget.

Increased firepower capability is assured by the procurement of quantities of the Davy Crockett, the M-14 rifle, and M-60 machinegun and the M-60 tank. Self-propelled artillery include the 105 millimeter, the 155 millimeter, and the 8-inch howitzer. Continued production is planned for the Sergeant, Honest John, and Little John missiles, as well as the Hawk, Redeye, and Pershing.

Air mobility will be enhanced with the procurement of the Caribou transport, the Chinook helicopter transport, and the Iroquois utility-transport helicopter. Logistical support will be furnished, along with other procurement, by the 5- and 15-ton LARC and the 60-ton BARC, all amphibious lighters.

As indicated above, significant effort is being made in the area of limited warfare capability. In this respect the Army is placing greater emphasis on research and development of such essential items as lightweight infantry and artillery weapons systems with increased range, mobility, and effective firepower.

The Army is also entering an extensive research program to improve its mobility. Development continues on aircraft, both fixed wing and helicopter, and on all types of ground vehicles. Work is progressing satisfactorily on several types



of high performance, vertical or short takeoff and landing aircraft. Among these, for example, is a new 4-ton VTOL transport, being developed jointly with the Air Force and the Navy. In the off-road ground mobilization capability area for our Armed Forces, the Army is developing a small family of difficult terrain carriers. I cite as an example the XM 571, a full-track amphibious support carrier.

The Army is giving increased emphasis on research for special warfare and psychological warfare operations and chemical and biological weapons. In the ballistic missile defense field, notable progress has been made in the development of the program of the Nike-Zeus, which has progressed from component testing to complete weapons system testing at the White Sands Missile Range, leading toward demonstration of the system's full capabilities at Kwajalein sometime this year.

The committee was impressed with the Army's research efforts, both basic and applied, and indications are that in the fields of weapons and vehicles research, that very satisfactory strides are being made.

#### DEPARTMENT OF THE NAVY

The Navy, for fiscal year 1963, will show an end strength of 665,000, approximately the same as in fiscal year 1962. The active Marine Corps will remain at 190,000. The fleet will operate for the coming fiscal year 862 ships, which include 12 Polaris submarines, 9 of which are already operational, and the remaining 3 will join the fleet before the end of fiscal year 1963.

This bill contains provisions for a total of 37 new ships and 35 conversions. A list of these is found on page 50 of the committee report. In addition to the carrier, which I have already discussed, it includes one guided missile frigate, eight nuclear attack submarines, six Polaris submarines already noted, and four amphibious transport docks.

I would like to speak a moment to the conversion program being carried out by the Navy. One of the greatest problems faced by the Navy in its ship program is the continuing obsolescence of our Navy ships. The bulk of the fleet was built during and immediately after World War II. Unless we have a more accelerated ship replacement program, our Navy faces a great degree of obsolescence by the year 1970. We have been attempting to alleviate the obsolescent condition by a conversion program, particularly in our destroyer force, by updating our destroyers through more modern propulsion systems and improved electronic equipment, but even this program will ultimately have its limitations.

The Navy and the Marine Corps will operate over 7,000 aircraft in the coming fiscal year, and I might say in this respect that the Navy's procurement of fighter and attack aircraft during the coming fiscal year will average more than one-third higher than the 1960-61 level. The present bill before you provides for 899 new aircraft, of which 863 will be combat types. The most impor-

tant of the new aircraft being added to our Navy inventory is the tremendously effective F4H Phantom, which our military experts tell us is probably the best all-around aircraft in the world today. The Air Force is buying this aircraft under the designation of the F-110, which enables the Air Force to have a new aircraft without going through an expensive development program. Other aircraft which will be added to the Navy inventory this year are F8U-2N Crusader; the A4D Skyhawk; the A2F-1 Intruder, and the A3J Vigilante, which, with the F4H, will provide us with the world's most potent fighter attack aircraft combination. Also being procured in the Navy's aircraft program are the W2F-1 Hawkeye for early warning and fighter control; the P3V-1 Orion, the turboprop and much-improved patrol aircraft; and the S2F-3 Tracker, which will give us greater capability in anti-submarine warfare.

The Navy's request for missiles is up sharply from previous years and as a result the combat readiness of the fleet will be enhanced considerably—the procurement of such missiles as Sparrow, Terrier, Tartar, Talos, Bullpup, Sidewinder, and Shrike in this 1963 bill which more than double that of the 1961 level. Included in this year's appropriations is also money for the procurement and production of quantities of the submarine-launched Subroc missile, which will enable our submarines to reach out and destroy their targets at greater distances.

In the area of research and development, funds provided in this bill will allow the Navy to proceed at an increased rate of development. Of particular importance in this area are the Typhon weapon system, which will improve the Navy's defense against airborne threats and the long-range Polaris missile, which has been mentioned elsewhere in this report.

Large-scale appropriations are recommended for ASW warfare development, which is of necessity classified and cannot be set forth in this report to the Senate; but as acting chairman of the Department of Defense Subcommittee, I wish to assure you that the Navy is making great and encouraging strides in this area and several fine accomplishments can be recorded for the past year.

#### DEPARTMENT OF THE AIR FORCE

For the Air Force the bill places an increased emphasis on general purpose forces. This is reflected in the following major ways: An increase of five tactical wings, modernization of the tactical fighter forces through the procurement of F-105 and F-110 aircraft, continued development work on the TFX, the initiation of a development program for a mobile midrange ballistic missile, and an increased procurement of conventional munitions.

Substantial funds are included for KC-135A and KC-135B jet tanker aircraft to support the bomber and tactical fighter forces. The airlift capability of the Air Force will be strengthened considerably by the completion of the development of the C-141 aircraft and the start of procurement in quantity of this

aircraft. Also, fiscal year 1963 will see the procurement of a number of C-130E aircraft to complete transport squadrons projected for fiscal year 1963.

The air defense program of the Air Force has been materially strengthened during the past year. We still must maintain an effective defense against manned bombers, since the Soviet will continue to have an impressive nuclear delivery capability in this area. The defense system we must maintain consists of manned and unmanned interceptor aircraft as represented by the F-101, F-102, F-106, and the Bomarc. To alert and control these weapons, as well as the Army Nike missiles, we have an extensive controlling and warning network.

Programed for ballistic missiles are funds to complete the 13-squadron Atlas ICBM and the 6-squadron Titan II ICBM program and continuance of the Minuteman program.

I would like to report to the Senate that our two ballistic missile early warning system—BMEWS—sites are now operational. This warning system is deployed to detect ICBM's approaching the United States from polar routes. The third BMEWS site, to be located in the United Kingdom, is under construction and will be operational in the third quarter of fiscal year 1963. The missile defense alarm system—Midas—which complements the BMEWS, is under development. There is also in this bill money for the development of advanced sensing equipment and data processors to support our space detection and tracking system—Spadats.

#### CONCLUSION

Before I close I wish to express my sincere appreciation to the members of the subcommittee and those on the full committee under the able chairmanship of Senator HAYDEN, who have devoted so much time, so much effort, so much thoughtful consideration to the items which make up this bill. It is only with their able assistance, their guidance, their painstaking analyses that this bill has been fashioned as successfully as I believe it has. I wish to pay particular tribute to the senior Senator from Georgia [Mr. RUSSELL], who assisted so much in our deliberations, and to my very able friend, the senior Senator from Massachusetts [Mr. SALTONSTALL], who has sat with me through the long hours of hearings comprising over 1,800 pages of testimony. The Senator from Mississippi [Mr. STENNIS] and the Senator from Idaho [Mr. DWORSHAK] were also of great assistance. I also wish to thank the members of our fine staff.

I wish to impress upon my colleagues that this bill is not a partisan bill and at no time during its consideration did party thinking play a part. For that I wish to express my gratitude to the members of both parties who worked so hard on the measure.

I also wish to thank Defense Department personnel for their part in the consideration of the bill. The very able Secretary of Defense and the Deputy Secretary of Defense have always been available to assist in consideration of problems which have arisen. Their broad knowledge and comprehension,

their forthrightness, aided greatly in expediting the bill. This is also true of the Assistant Secretary of Defense—Comptroller—the Secretaries of the military departments, the chairman and members of the Joint Chiefs of Staff, and the budget officers of the military departments. I also wish to call attention to the very capable liaison work which Major General Moore has provided. To them, and to many others too numerous to enumerate, I owe a sincere thank you.

Mr. President, at the commencement of this discussion of defense funds, I repeated the statement that I made in presenting the defense budget last year. In discussing the horrendous power of nuclear weapons I said:

There is another alternative, and the diplomats of the chancelleries of the world will fail their day and generation if they do not discover it.

Last Sunday, I was privileged to attend the commencement exercises of a Virginia school in which I have great pride—the Virginia Military Institute. Since its founding some 125 years ago, its sons have played a notable part in all of our wars. In 1917 the entire graduating class went immediately into active service. In World War II, VMI furnished 50 generals and admirals, including the Chief of Staff of the Army. Last Sunday, I watched 218 members of the graduating class cross the platform of the crowded gymnasium in which the commencement exercises were being held, with a diploma in their left hand and a commission in the Armed Forces of the Nation in their right. In the event of a shooting war they were prepared to prove that "Stonewall" Jackson was right when he said before the Battle of Chancellorsville:

The institute will be heard from today.

But the cadet corps of VMI opened its commencement exercises by singing, in a most effective way, a familiar hymn entitled "God of Our Fathers, Whose Almighty Hand." While we and our NATO allies are spending billions of dollars to stay the hand of a possible aggressor, the real hope of the free world lies in these lines from the VMI commencement hymn:

From war's alarms, from deadly pestilence,  
Be Thy strong arm our ever sure defense;  
Thy true religion in our hearts increase  
Thy bounteous goodness nourish us in peace.

Mr. PEARSON. Mr. President will the Senator yield?

Mr. ROBERTSON. I yield.

Mr. PEARSON. Mr. President, I support the Senate Appropriations Committee and the Air Force Chief of Staff in their recommendations that the development of the RS-70 bomber and its associated systems proceed as rapidly as possible.

This is a highly controversial subject for both military and constitutional reasons. I fully recognize the responsibilities of the executive branch and the Secretary of Defense and I commend the Senate Appropriations Committee for not ordering but more properly urging the administration to proceed with this vital program.

I believe that the people of this Nation have the utmost respect for the impressive progress of the military and civilian agency accomplishments in the field of unmanned missile development. The future holds even greater wonders.

In spite of these accomplishments, I do not believe we are ready to turn over our national defense to this inanimate system. As General LeMay told the committee: "Missiles cannot think, they cannot look and report back and they cannot be used for other than a single purpose." The day may come when they can, but a research and experiment process is not a substitute for a weapons system.

The RS-70 was programed as the follow-on to the B-52. The development of ICBM altered it to be a reconnaissance-strike weapon with the capability of flying at speeds in excess of mach 2 to search out undestroyed targets and destroy them, if necessary. It is capable of carrying missiles and radar to perform functions no missile now or immediately operational can perform.

Even if such a weapons system becomes operational simultaneous with the production of the RS-70, the companion system would not be inconsistent with military planning which frequently seeks to guarantee its capability by side-by-side systems.

The administration has requested \$171 million principally for the development and construction of the airframe and engines and some work on a bomb-navigation system and \$52 million for development of other essential components.

The committee additions are designed to expedite the development of the radar system required and sufficient funds to proceed with three aircraft in addition to the three planned by the administration.

I urge that the Senate support the committee. Over \$1 billion has already been spent in this program. It should not be allowed to go for naught when the product of the expenditure has such a great defense potential.

Mr. THURMOND. Mr. President, I take this opportunity to congratulate the able and distinguished Senator from Virginia for the magnificent report he has made. I commend him and the other members of the subcommittee and the full committee for reporting to the Senate an appropriation bill which will adequately keep this Nation prepared.

To my way of thinking, the first function of Congress is to provide for the survival of the people and the Nation. To do this, it is necessary that we maintain a strong preparedness program; that we be ready to cope with any emergency which may arise, whether it be an emergency of a general nature or total war, or whether it be of a limited nature.

I believe that the appropriation bill which the distinguished Senator from Virginia has presented to the Senate is one which will provide the necessary equipment and personnel needed to protect the Nation.

I especially wish to commend the members of the subcommittee for providing for the Reserves.

On page 6 of the report, the committee said:

While recognizing the necessity for modernization of the Army Reserve components, the committee does not believe that a reduced strength should accompany such modernization.

With that statement, I am in hearty accord. It is my judgment that we should not now, of all times, reduce the strength of the Reserves. I believe that, if anything, the strength of the Reserves should be increased. I am highly pleased that the committee has provided funds to maintain the Reserves at the strength suggested and provided for in the report.

I shall not take the time to comment on many other aspects of the bill and the report—which I could do; I simply wish to commend the distinguished Senator from Virginia for the excellent work he and his committee have done.

Mr. ROBERTSON. The high compliment paid me by the distinguished Senator from South Carolina is doubly appreciated. In the first place, he has had military service during war. He holds the highest rank of anyone who has ever served in Congress; that is, the rank of major general in the Reserves. Second, he serves on the Committee on Armed Services, which is constantly studying the problem of military affairs, and which has jurisdiction over the authorizations which must be made before the Committee on Appropriations can report a bill.

In advocating a strength of 400,000 for the National Guard and 300,000 for the Reserves, and including in the bill language to make that strength mandatory, we have in mind that we do not wish ever to turn the Nation over to a military clique, and that we do not ever wish to take the position that only West Point, the Naval Academy, and the Air Force Academy can furnish officers competent to lead the Armed Forces in time of war.

Mr. SALTONSTALL. Mr. President, first I wish to commend the Senator from Virginia for the hard and conscientious work which he has applied to the bill. As one who has attended most of the public hearings and all of the executive sessions, I am well aware of the amount of work the Senator from Virginia has put into the bill. I know the Senate will appreciate the remarks he has made this morning concerning the measure. I am sure the Senator from Virginia and I will both agree that behind all of our work was the influence, if we will, of the chairman of the subcommittee, the distinguished Senator from New Mexico [Mr. CHAVEZ], who could not be present at all times, but whose influence we felt while we worked on the bill.

Mr. ROBERTSON. I agree with the Senator from Massachusetts. The committee had the full cooperation of the Senator from New Mexico. He could not attend all the meetings of the committee, but he attended some of them.

I appreciate the reference which the Senator from Massachusetts has made to my services. As I said in my remarks, I had to depend very much upon the Senator from Massachusetts [Mr. SAL-



TONSTALL], the Senator from Georgia [Mr. RUSSELL], and other members of the subcommittee and the full committee in reporting the bill, a bill which we hope will meet with the general approval of the Senate.

Mr. SALTONSTALL. I thank the Senator from Virginia. I invite attention to a few of what I believe are the highlights of the bill.

First, as to the National Guard and the Reserves, which the Senator from South Carolina [Mr. THURMOND] has just mentioned, and in which he is so much interested, the bill provides for a net strength for the National Guard of 400,000 men, and 300,000 for the Reserves. At the same time, the bill contains a proviso that in making any realignment of forces in the Army which the Secretary of Defense believes may be necessary, including realignment so far as the National Guard and Reserves are concerned, he will maintain the number and geographical locations of the existing units, so far as possible. The committee believes that in that way the realignment of the Army and the Reserves can go forward, and that the interests of the National Guard and the Reserves will be protected, so far as the geographical locations of the existing units are concerned.

In addition, as has already been fully discussed, and as I shall merely mention, the committee restored \$267,100,000, so as to provide the full amount recommended by the Air Force, represented by General LeMay and General Schriever, for the RS-70. We have provided that if the money is not spent for the purpose stated it may not be spent for any other purpose. This item has already been fully discussed, so I shall not speak further about it.

Also, as the chairman has pointed out, the committee provided that the \$514,500,000 which the Defense Department recommended be released for any use in the military budget this year—which was money which was provided for the B-52 last year, but not used—be stricken out, in order that the bill might express the will of Congress this year. So the committee has provided a new item of \$514,500,000.

The House provided another highlight. The House placed a restriction of 15 percent on the overhead costs of research work by any institutions, including colleges or other organizations which conduct research. The Senate struck that provision because, first, the President recommended that it be stricken by the Senate; and, second, we found that the bookkeeping methods in the various institutions varied so much that it was difficult to limit the restriction to 15 percent. So that item has been stricken from the bill, and it is hoped that the Senate will back the committee's position as we take the whole problem to conference.

Another highlight is the amount provided for maintenance and repair work to be done by Navy yards and private construction yards. That subject has been discussed at length. The Senate allowed the House figures of 65 percent and 35 percent to stand, but included a proviso that the President, in the na-

tional interest may change the ratio if he believes it is wise to do so.

Another highlight relates to operation and maintenance. The House separated the figure into two amounts: first, operation and maintenance forces for personnel; and then provided for maintenance of the various establishments as a separate item. The Department of Defense agreed with the amounts and with what the House sought to do, but believed the money should all be in one account; so the Senate has placed it in one account. We then took the amount which the House said should be used for the maintenance of the various military installations and had included the proviso that the amount should be allotted to the local commander for the purpose of maintenance of the establishment. This may not be diverted for other purposes if it was intended as an allotment for maintenance of real property facilities.

Then the Senate committee went forward with the items for the Polaris submarine and for the aircraft carrier, for which the House had voted appropriations. The aircraft carrier appropriation amounts to \$280 million. I believe an amendment to strike that out will be offered. That item provides for building the aircraft carrier only, but does not provide for the necessary elements to protect it. But we did approve that item, and voted to include the \$280 million appropriation voted for this purpose by the House.

Those are the highlights of this appropriation bill. They have been described very fully by the distinguished Senator from Virginia [Mr. ROBERTSON] in the course of his remarks.

In addition, I should like to state that every year we receive requests from the Department of Defense or from the three services for reprogramming—reprogramming of procurement, R.D.T. & E., and of construction items which have been allocated previously. I believe there should be more careful supervision of that and more careful study, so there would not have to be so much reprogramming. For instance, this year the Armed Services Committee and the Appropriations Committee have approved a total, up to the present time, of \$3.7 billion for the reprogramming of procurement and R.D.T. & E. Perhaps the total will be more than \$4 billion before the end of this fiscal year. That is approximately 20 percent of the procurement, research, development, engineering, and test funds voted by Congress. Therefore, I believe this should be carefully worked out, so there would not be all of this reprogramming. Really this is a diversion of funds from that which Congress originally appropriated them. That applies to real estate and to the procurement of weapons and the development of and research on weapons. I believe that should be more thoughtfully considered and studied.

The committee hearings contain a letter on this subject from the Secretary of Defense. In the letter he says he will give more careful attention to it.

I ask unanimous consent to have printed at this point in the RECORD a paragraph which inadvertently was

omitted from the committee report, although the committee intended to include it. Therefore, I call attention to it at this time; and certainly when the military construction bill is before us, I wish to have something on this subject in the report, because I believe that the money we appropriate should be used for the purposes for which we appropriate it, insofar as possible.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

SUGGESTED REPORT LANGUAGE ON  
REPROGRAMMING

The committee notes with gratitude the House comments on the important subject of reprogramming. This matter was explored rather fully in the hearings before this committee. It should be pointed out that through the device of reprogramming several billion dollars will be utilized for purposes other than that for which they were originally intended.

In a letter to this committee Secretary McNamara points out that reprogramming is a necessary part of the budget process, and with this concept the committee cannot disagree. However, it is essential if the Congress is to be called on to make any sort of judgment in these matters it must be given facts which will permit an intelligent decision to be made.

Inasmuch as the reprogramming requests are frequently characterized by the requirement of expeditious action, this problem becomes one of concern to the Congress as well as the Department of Defense.

The committee recognizes that this is a joint problem and feels that it should have the early attention of the Department of Defense and other military services so that the future procedures could be evolved.

Mr. SALTONSTALL. Mr. President, those are the highlights of the bill which has been reported to the Senate; and I hope it will be passed by the Senate without amendment.

Mr. COOPER. Mr. President, will the Senator from Massachusetts yield?

Mr. SALTONSTALL. I yield.

Mr. COOPER. First, I should like to join the other Senators who have commended the Senator from Virginia [Mr. ROBERTSON], the manager of the bill, for his leadership, and also the Senator from Massachusetts [Mr. SALTONSTALL], and the Senator from Mississippi [Mr. STENNIS], for their assistance in the presentation of the bill. All of us owe much to them and the members of the committee for the thorough work they do every year in preparing the defense appropriation bill. And our thanks go also to the Senator from New Mexico [Mr. CHAVEZ], the chairman of the subcommittee who cannot be here today.

Mr. SALTONSTALL. I thank the Senator from Kentucky. The bill does involve a great deal of very important work, although it is exceedingly interesting.

Mr. COOPER. I want to secure an interpretation of the meaning of the provision in the bill concerning the National Guard units and the Reserve units.

I know the Senate committee has followed the House as far as concerns the item appropriating full funds to maintain the numerical strength of the National Guard and the Reserve units as it is today. That is correct, is it not?

Mr. SALTONSTALL. Yes.

Mr. COOPER. Is the Secretary of Defense under any duty or responsibility to use the funds appropriated and to maintain the full numerical strength of the guard and Reserves?

Mr. SALTONSTALL. As the Senator from Kentucky well knows, we cannot order the Secretary of Defense to spend all the money we appropriate. We have allowed a sufficient amount—we did not change the amount voted by the House—to permit an end strength of 400,000 for the National Guard and of 300,000 for the Reserves, together with funds for training for the Air Force Reserves and the Naval Reserves, which are not included in the Senator's question. Of course, the end strength is what is important, for the average strength might at one time exceed 400,000, and later might be less than 400,000.

Mr. COOPER. Of course, I realize that the Secretary of Defense cannot be compelled to use the money. But is it the intention of the committee that the Secretary of Defense shall use the money to maintain the present numerical strength of the National Guard and the Reserve units? I believe he should follow the expressed intention of the Congress and maintain the full strength of the National Guard and Reserves.

Mr. SALTONSTALL. Yes; and the word we use is "shall."

Mr. COOPER. I thank the Senator from Massachusetts.

Is the Senator from Massachusetts able to state for the record any information or statements from the Secretary of Defense which indicate his intention to follow the advice of the committee?

Mr. SALTONSTALL. I would say that although the Secretary of Defense did not approve this provision, yet he knew that the Senate and the House would include it; and certainly he indicated to us that he would try to live up to the provision. But I cannot say affirmatively that he said he would, because I do not think he did; I do not remember that he did. But certainly this was discussed in his presence, and was discussed especially in the presence of the Under Secretary of the Army, Mr. Ailes, whom we questioned very carefully in regard to this provision. In that connection, the bill includes the following provision:

*Provided further, That insofar as practicable in any reorganization or realignment for the purpose of modernization the number and geographical location of existing units will be maintained.*

Mr. COOPER. I wish to address myself to that point, also.

But first I desire to refer to the National Guard. I find the following language in title 32, United States Code, section 104, subsection C, dealing with the location, organization, and command of the National Guard units:

To secure a force the units of which when combined will form complete higher tactical units, the President may designate the units of the National Guard, by branch of the Army or organization of the Air Force, to be maintained in each State, and Territory, Puerto Rico, the Canal Zone and the District of Columbia. However, no change in the branch, organization, or allotment of

a unit located entirely within a State may be made without the approval of its governor.

I ask the Senator from Massachusetts whether it is his view—that this section which I have read, and it was corroborated in a telephone conversation I had with the Assistant Secretary of Defense for Personnel—that the proposed changes in the National Guard cannot be made without the consent of the Governor of a State?

Mr. SALTONSTALL. Yes; it is my understanding that they cannot be made without the approval of the Governors.

Mr. COOPER. But could the Department of Defense refuse to provide funds, and thus force the changes it desires, if it wished to use so radical a method?

Mr. SALTONSTALL. Let me read from the statement the committee prepared, which I hope will answer the Senator's question:

The proposed realignment of the Reserves and National Guard was a matter which the committee considered very carefully. We do not, of course, want to prevent the modernization of these forces; nor do we want to see a number of good units abolished just to accomplish a reduction in the strength of the total forces, or to provide for a higher manning of selected units. The committee made it clear in its report that the planned reorganization should not impair the mobilization readiness of the forces involved, where it also expressed the hope that no State will lose substantial segments of its Reserve Forces. Because of the very strong feeling of the committee in this respect, it recommended the following provision respecting both the Army Reserves and the Army National Guard: " \* \* \* That insofar as practicable in any reorganization or realignment for the purpose of modernization the number and geographical location of existing units will be maintained."

This language is a clear expression of the views of the committee, and, if adopted by the Senate, it will constitute the position of this body on this issue.

That language is now included in the bill.

Mr. COOPER. I ask the Senator if the committee had any response from the Secretary of Defense or representatives concerning the recommendation of the committee that the present units of the National Guard and Reserve should be preserved at their present geographical locations.

Mr. SALTONSTALL. The Secretary of the Army, I think, made it clear that, if this provision was in the bill, it would be a workable provision for the rearrangement or realignment that the Army intended for the National Guard and the Reserves. It was argued at great length, and I think the Senator will find in the record of the hearings that they do not want to change the geographical units in the realignment so that there will be a conflict with the best interests of the National Guard as we know them today. They did not say affirmatively they would not do it, but that is the inference I got from the hearing.

Mr. COOPER. I would like to dwell on this subject 2 or 3 minutes, because it is very important. It is important both to the Reserve and to the National

Guard. It is important to the States, and to the security of the Nation.

All of us agree that a unit whose mission is no longer vital and necessary to the defense forces, should be reorganized, and its mission changed so that it will better serve the Nation's defense needs. If the mission of a unit is no longer needed—is obsolete—it would be in the interest of the defense of the country to reorganize and change the mission of the unit.

Nevertheless, the committee has said to the Department of Defense, and I agree, that the unit can be maintained and its geographical location preserved, and within these conditions, the unit can be modernized and reorganized.

Mr. SALTONSTALL. When the Senator uses the words "mission" and "realignment," I do not want to draw a distinction in meaning as between those two words; but what the Senator has said was the intention the committee wanted to carry out. There is no question in my mind about it. So far as it was possible to do so, I would say that was the expression of opinion of Under Secretary Ailes, of the Army, who was in charge of this subject.

Mr. COOPER. Are your comments responding to the questions which I have asked the Senator about the National Guard, applicable also to the Reserve units?

Mr. SALTONSTALL. Yes. The Reserves were represented at the hearings. Most of the questions and colloquys were directed especially to the National Guard, but there was no question raised by members of the Reserve Association who were present as to the change in the language which is in the bill, which was asserted to be workable by Under Secretary Ailes. He did not say he favored it, but he said he could work under it.

Mr. COOPER. I thank the Senator very much for his answers and for his interpretation of the provision which was written into the bill. I would like to join with the committee in their interpretation of the provision, and express my firm conviction that it is in the interest of our national defense and national security to maintain the National Guard and Reserve units both at the present strength and geographical locations, and reorganize them where necessary, but as the committee desires, and the Congress desires, holding these units at present strength and location.

Mr. SALTONSTALL. That was our feeling.

Mr. COOPER. I hope very much these units will be maintained in their geographical location. In my own State we have a number of National Guard companies, or units, and many Reserve units. The 100th Reserve Division is on duty today at Camp Chaffee, being the first one called up. We have 11 National Guard companies on duty today. They are meeting their responsibilities and have helped secure the country since the Berlin crisis arose.

Now it is said that National Guard units are Harlan, Barboursville, Williamsburg, London, Somerset, and Pineville



may be eliminated and perhaps other National Guard units and Reserve units yet unnamed.

I oppose the elimination of these units and the committee and the vote of the Senate will indicate that the Senate and the Congress opposes any such action. National Guard companies are always at the call of the Governor for any contingency or need in the State.

I would like to point out another factor that is important. The National Guard units and the Reserve units have a great deal to do with maintaining an interest in our Armed Forces, beyond their immediate mission. Their willingness to serve and their demonstrated responsibility and loyalty to our defense and country, contributes to a greater sense of responsibility in our country. The men who serve are volunteers. They are in the Armed Forces because they are concerned about the defense of the country. They are ready to serve whenever called. I would dislike to see the day come when the Department of Defense would cut down the National Guard and the Reserve Forces.

Mr. SALTONSTALL. May I clarify one remark? The Senator said something about the approval of the Governor with reference to the National Guard. I answered in the affirmative. As the Senator knows, the Governor has no direct control over the use of the Reserves.

Mr. COOPER. I understand.

Mr. SALTONSTALL. I yield the floor.

Mr. FONG. Mr. President, the Appropriations Committee has very heavy responsibilities and none more important than its duties in connection with the defense bill before us. For this committee plays a key role in the defense posture of our Nation, which serves to protect not only America but our friends and allies the world over. I wish to congratulate members of the Senate Appropriations Committee for discharging their duties so conscientiously and effectively and for bringing to the Senate a much-improved bill over the House version.

The subcommittee of which the able and distinguished junior Senator from Virginia is acting chairman deserves special commendation for working long and diligently hearing and studying testimony on our vast defense operations, giving careful judicious consideration to our Nation's security needs.

This bill is by far the largest single appropriations bill to come before the Senate in terms of dollars, containing \$48.4 billion in new obligational authority. Each and every year, defense spending comprises more than one-half of expenditures of the Federal Government. Fiscal year 1963 spending provided by this bill will be no exception.

These billions of dollars constitute the price tag we are paying for readiness and for peace. We Americans pay this price willingly, for we know that without a modern, first-class defense establishment, our very homeland would be in jeopardy.

Mr. President, there are two matters contained in this bill to which I shall direct particular comment this afternoon.

One relates to the Army National Guard and Army Reserves and the other to the Navy ship repair and conversion limitations.

I am most pleased with the committee action rejecting the administration's proposed 58,000 reduction and recommending instead a 400,000-strength Army National Guard and 300,000-strength Army Reserve. As I stated in my testimony before the Defense Appropriations Subcommittee, this is a time for our Reserve forces to be strengthened, rather than weakened, particularly in view of the very disturbing developments in southeast Asia. Regular troops of Hawaii's famous Wolfhound Division are already stationed on the front lines in Thailand. We in Hawaii certainly oppose any reduction in the backup support supplied by our Reserve components to our Regular Army Forces in Hawaii.

There can be no mistaking the recommendation of the Senate Appropriations Committee. In addition to providing the necessary funds and the explicit language for a year-end strength of 400,000 for the Army National Guard and a 300,000 Army Reserve, the committee specifically provides that the number and geographical location of units will be maintained throughout the country insofar as practicable.

Mr. President, the proposed Guard reduction would have wiped out Hawaii's 227th Engineer Battalion, the only engineer unit in our State. We were never apprised of what reduction would have been made in the Army Reserves. But, as an island State and a western defense outpost for our Nation in the Pacific, Hawaii could not willingly consent to a reduction in our Reserve components.

I heartily endorse the committee action and urge my Senate colleagues likewise to support the committee so that our very necessary Army National Guard and Army Reserve may have the necessary strength in these troubled times.

Mr. President, the second matter to which I refer is the allocation of Navy ship repair and conversion funds between navy shipyards and private yards.

As the bill was approved by the House, it contained dollar ceilings on repair and conversion work in Navy shipyards, amounting to 65 percent each of total ship repair and ship conversion funds. The balance of 35 percent in each case was directed by the House bill to be awarded to repair and conversion work in private shipyards.

Under the House bill, there is no question that repair and conversion work in Navy shipyards would have to be curtailed and that unemployment in these public shipyards would occur. No one could give any firm estimates as to the resulting unemployment in Navy yards, but there was an educated guess that overall throughout the country 5,000 Navy employees would lose their jobs.

Moreover, the House limitations in effect put fiscal ceilings on matters which should be decided first and foremost from a defense standpoint.

As I stated in my testimony before the Senate Defense Appropriations Subcom-

mittee in opposition to the House 65-35 percent limitations:

The limiting provisions in the bill approved by the House of Representatives make real the possibility of forcing the Secretary of the Navy to send a ship to a private yard for repairs or conversions at a time when, in his best judgment, it would be contrary to our defense requirements. It is essential to our national security that the Secretary of the Navy have the discretion to allocate repair and conversion work on Navy ships, particularly those on the combat line, among navy and private shipyards.

Navy shipyards have a purpose beyond that of berthing ships. These shipyards provide the necessary support for our Navy on the seas. They insure optimum performance and constant readiness by maintaining and utilizing the necessary skilled working force and modern facilities to support our combat ships.

We in the State of Hawaii have experienced firsthand the vital necessity for combat-ready naval forces. The stepped-up tempo of naval activities of other nations in the Pacific and the Atlantic demands our own ships to be continuously on station. As ship-servicing needs grow, the importance of our naval bases grows. The continuing turbulence in the Asian theater, particularly southeast Asia, likewise underscores the imperative need for naval preparedness in the Pacific.

Pearl Harbor Naval Base in Hawaii has been and is today the hub of our farflung naval forces in Asia and the Pacific. Located approximately 2,500 miles from the west coast, it is part of our first line of defense in the Pacific. There are no private shipyards adjacent to it. It is conceivable that the limitations proposed by the House bill would require the Navy, in certain instances, to send ships needing repairs or conversions to the west coast, even though such ships were based at Pearl Harbor. In this event the closest private shipyard would be nearly 2,500 miles away.

Some possible effects of sending Pearl Harbor based ships to west coast private shipyards are, first, those ships would be unavailable for line duty for a longer length of time than if the work were done at Pearl Harbor; second, the labor-management situation at the private shipyard might be such that the ship would not be ready for duty within the period called for by the repair/conversion contract. This would not be the case at a naval shipyard; third, there would be the added expense of having the ship proceed to and from the west coast and Pearl Harbor; fourth, the problem of adequate billeting of the men on the ship would have to be solved, whereas, at Pearl Harbor there are adequate housing facilities available; and fifth, the men on board these ships would be separated from their families for a longer period of time than if the ships were to undergo the same repairs or conversion work at Pearl Harbor. In view of the intense service-career program of our Armed Forces, this unnecessary separation certainly would not help the program.

I am aware that there is an increase of \$24 million available for repair/conversion work in navy shipyards in fiscal 1963 over fiscal 1962. However, there is no assurance that this increase will also increase the workloads at all navy shipyards. There is no assurance this will increase the actual volume of work because increases in material and labor costs in fiscal 1963 may offset the added dollars.

Since I testified, Mr. President, I have learned that all \$24 million of this increase is for conversion work. I am also informed that half of this amount is destined for purchase of electronic and

other equipment from outside suppliers and will not generate employment in navy shipyards. Only \$12 million are slated for work in navy shipyards.

I further told the Appropriations Subcommittee:

Any reduction in force resulting from a lower workload because of the 65-percent limitation would work great hardship on the Pearl Harbor employees and their families. Hawaii's isolation from other land areas precludes our unemployed from readily migrating to other areas in search of jobs.

Forced layoffs might well result in loss to the Navy of specially skilled personnel, many of whom had to be recruited earlier from our sister States. The Navy might face great difficulty in recruiting specialists in the future.

Mr. President, while I would have preferred complete elimination of the 65-35 percent provisions of the House bill, I believe the language proposed by the Defense Department and approved by the Senate Appropriations Committee as section 540 of the pending bill constitutes a practical and workable compromise, which, if properly administered, will maintain our naval shipyards such as Pearl Harbor at A-OK readiness and in "Go" condition to meet the repair and conversion need of our Pacific Fleet.

Section 540 does two things. First, it applies the 65-percent limitation to the combined total ship repair and ship conversion funds provided in the bill. The House limitation applied to each of these totals separately. The Navy Department will have more flexibility under the Senate committee provision to allocate ship repair and conversion work between private and navy shipyards, for it will have only one ceiling to bump up against instead of two.

The second feature of section 540 provides the President with leeway in which to exceed these limitations when defense considerations require it. Specifically, section 540 provides "that if determined by the President to be inconsistent with the public interest based on urgency of requirement, capability, and economy of performance to have such vessels repaired, altered, or converted as required above, such work may be done in navy or private shipyards" as the President may direct.

Under this proviso, as I understand it, if urgency of requirement, capability, and economy of performance call for assigning work to a navy shipyard or private shipyard, the President may order such assignment of work even if the cost would result in exceeding the 65-percent or the 35-percent limitation.

I have discussed section 540 with both the chairman of the Defense Appropriations Subcommittee, the distinguished junior Senator from Virginia, and the ranking minority member of the subcommittee, the distinguished senior Senator from Massachusetts. I have been assured by them that the committee was quite cognizant of the need at Pearl Harbor Navy Shipyard, that the committee intended to allow the Navy flexibility in allocating ship repair and conversion work, and that the committee believes section 540 permits the administration to make its decisions consistent with our Nation's defense requirements.

Mr. President, with such assurances, I am encouraged that the Pearl Harbor Naval Shipyard will continue to keep our Pacific Fleet ships in shape for early line duty and that Pearl Harbor Shipyard does not face a drastic slash in workload or unemployment. I am further encouraged by information which I have just obtained from the Navy Department which shows no substantial change in ship repair and conversion work estimated for Pearl Harbor in the coming year, compared with the current fiscal year.

Although the committee did not recommend complete elimination of the 65-35 percent division of ship repair and conversion work, the language suggested by the Defense Department and approved by the committee is a reasonable compromise and gives sufficient flexibility in the use of funds and in the allocation of repair and conversion work.

Administration of the provision rests with the Navy Department and the President, who I am confident recognize the vital importance of Pearl Harbor Navy Shipyard in repair and conversion work for our Pacific Fleet.

Therefore, Mr. President, I strongly support the Appropriations Committee on section 540 and urge the Senate to approve the language as is. Assuming the Senate approves section 540, I strongly urge the Senate conferees to stand firm in insisting on this provision in conference with the House.

Mr. BENNETT. Mr. President, I want to compliment the members of the Senate Appropriations Committee for the time and dedicated effort which has been given to the hearings and reporting of the Department of Defense appropriations bill for fiscal year 1963.

I especially want to commend the committee for including language in the bill which will prohibit the Secretary of Defense from slashing the National Guard and Reserve Forces of our Nation. The specific language pertaining to the National Guard provides "That the Army National Guard will be programed to attain an end strength of 400,000 in fiscal 1963: *Provided further*, That insofar as practicable in any reorganization or realignment for the purpose of modernization the number and geographical location of existing units will be maintained."

The bill also contains a similar provision stabilizing the Army Reserve personnel at 300,000 men for fiscal year 1963.

If the Senate approves these provisions in the appropriations bill, and the House concurs in this action it will prevent the decimating of the Guard and Reserve Forces now stationed in the various States throughout the Nation. For instance, in the State of Utah, if the administration's decision were to become effective it would result in the abolition of 6 National Guard units, the closing of at least 3 armories, and the displacement of 550 Utah guardsmen because their units would be abolished. The situation in Utah is typical of what would occur in other States unless the Congress approves the language written into the Defense appropriation bill. I

therefore, urge my colleagues to approve these important provisions which are contained in title I of H.R. 11289 as amended by the Senate Appropriations Committee.

Mr. President, I would also like to commend the committee for the action which it has taken to strengthen our deterrent weapons systems. Funds are contained in the bill for both conventional weapons and to increase our arsenal of missiles. Utah is playing a major role in the production of several of the new missiles to be used by the Army, Navy, and Air Force. For instance, the Army's Sergeant missile is produced entirely in Utah, and a major part of the Navy's Polaris, and the Air Force's Minuteman missiles are produced in Utah. Funds for all three of these missiles are contained in the fiscal year 1963 appropriations bill.

Funds are also contained in the bill for the Skybolt, which is the Air Force's newest and most promising air-to-ground missile. Hill Air Force Base in Utah has been assigned the depot maintenance responsibility for this new missile which is fired from a B-52 in flight and has a speed of 9,500 miles per hour. The Defense Department is now reviewing contractor proposals for production of the Skybolt, and we in Utah are hopeful that one or more of the components for this new missile will be produced in the Beehive State.

Since the administration scrapped plans for the development of a mobile Minuteman system, the Defense Department has been considering a new highly mobile missile which could be mounted on trucks, vessels, or other conveyances. From studies which have evolved, the Air Force has been given the mission to initiate development of a mobile mid-range ballistic missile—MMRB— and the appropriations bill now before the Senate contains \$80 million in funds to proceed with studies of this new weapon system. This missile is also of particular interest to me since several contractors have submitted proposals to construct components of the MMRB in Utah.

Funds for advanced development of several projects which have potential application for both military and space use are contained in the bill. One of these projects in which I have been particularly interested is the development of an aerospace plane, which offers a possible one stage to orbit and return space vehicle, capable of taking off from a standard B-52 runway, performing a space mission and returning to a routine airfield landing. The Marquardt Corp., which developed the revolutionary ramjet engine used on the Bomarc, the Redhead Roadrunner and other missiles, is particularly interested in the aerospace plane and has been doing research work on this concept for some time. This company has its major production plant and test facilities in Utah, located in Ogden and Little Mountain.

There are many other important sections in the Defense Department Appropriations bill which deserve discussion, and I am sure these will be taken up by the distinguished chairman and members of the Appropriations Committee.



I urge the Senate to approve the bill and especially those sections which I previously mentioned pertaining to the preservation of our National Guard and Army Reserve Forces.

Mr. PROXMIRE. Mr. President—

Mr. STENNIS. Mr. President, may I ask the indulgence of the Senator?

Mr. PROXMIRE. I shall be delighted to yield to the Senator from Mississippi in just a moment.

First, I call up my amendment identified as "6-12-62—A," and I offer it as substitute for the pending amendments offered by the minority leader. I also ask unanimous consent that the two provisions of the amendment, referring to different portions of the bill, be considered en bloc. Finally, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, the reading of the amendments will be dispensed with.

The amendment, offered by Mr. PROXMIRE, is as follows:

On page 36, lines 23 and 24, strike out "\$3,776,000,000" and insert in lieu thereof "\$3,456,000,000".

On page 37, line 2, strike out "\$491,000,000" and insert in lieu thereof "\$171,000,000".

The PRESIDING OFFICER. Is there objection to the request of the Senator from Wisconsin that the amendments be considered en bloc? Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that I may yield to the Senator from Mississippi without losing my right to the floor.

Mr. SALTONSTALL. Mr. President, reserving the right to object to the Senator's unanimous-consent request, I shall not object if he answers my question. Does the Senator from Illinois approve of the suggestion?

Mr. PROXMIRE. My amendments are somewhat different from those of the Senator from Illinois, which are being considered en bloc. My request is to meet a strictly technical situation. The Senator from Illinois asked that his amendments be treated en bloc. I consulted with the Parliamentarian. He suggested that my amendments be considered en bloc.

Mr. SALTONSTALL. I shall not object, but I wanted to call attention to this matter because the Senator from Wisconsin has asked unanimous consent to substitute his amendments for the pending amendments of the Senator from Illinois.

Mr. PROXMIRE. The Senator from Wisconsin did not ask to substitute his amendments for those of the Senator from Illinois. I am calling up my amendments as a substitute. Then I am asking unanimous consent that the provisions in my amendments be handled en bloc, as the Senator from Illinois did, because, according to the Parliamentarian, it is necessary to handle it that way.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. I gather that the substitute is in order. Is that correct?

The PRESIDING OFFICER. The Senator is correct. The amendments will be considered en bloc.

Mr. PROXMIRE. I yield to the Senator from Mississippi.

Mr. STENNIS. I thank the Senator. My remarks will be very brief.

First, I commend very highly the splendid work of the Senator from Virginia [Mr. ROBERTSON] and the Senator from Massachusetts [Mr. SALTONSTALL] with reference to the handling of the pending appropriation bill. The committee owes the Senators a special debt of gratitude for the endless days and nights they spent in taking testimony and working out this bill and considering and weighing and evaluating the testimony of the various witnesses and their contributions to the committee. Their work is always good, but it has been outstanding this year.

Of course, we miss our good friend from New Mexico [Mr. CHAVEZ], who attended some of the hearings, but could not carry the heavy load this time.

Mr. SALTONSTALL. I thank the Senator for his references to me.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. DIRKSEN. I think it is appropriate to direct attention to the fact that the amendment I offered makes \$171 million the ceiling for the RS-70 purpose. The amendment offered by the Senator from Wisconsin makes it a floor, and they could add to it.

Mr. PROXMIRE. That is exactly correct. That is a proper distinction.

Mr. DIRKSEN. The administration requested the \$171 million figure, so I have set the ceiling at \$171 million.

Mr. PROXMIRE. The Senator is correct.

Mr. STENNIS. Mr. President, I wish to add a further word. I think at this time, in connection with the colloquy between the Senator from Kentucky [Mr. COOPER] and the Senator from Massachusetts [Mr. SALTONSTALL], it will be helpful to read the provision in the bill, beginning on page 4, with reference to the Army Reserve. This will fill out what the Senators have said for the RECORD. The language is as follows:

*Provided, That the Army Reserve personnel undergoing paid drill training and paid from this appropriation shall be maintained at an end strength of not less than three hundred thousand for fiscal year 1963: Provided further, That insofar as practicable in any reorganization or realignment for the purpose of modernization the number and geographical location of existing units will be maintained.*

A similar provision is to be found on page 6 with reference to the Army National Guard.

The National Guard and the Reserve are being treated identically the same under the terms of the bill. This would make mandatory the spending of money up to an amount which would pay these men on that basis for the increased amount of drill. That is the same provision which was in the law last year. It is not in the bill for the current fiscal year, because when we passed the bill last year there was a program of calling

up the National Guardsmen and calling up the Reserves, increasing the program all the way around.

This would reiterate what has been done heretofore with reference to the end strength of the units. It would permit realignments. It would permit a change of units which are obsolete. The end strength, however, would have to remain at the levels stated.

Mr. COOPER. I thank the Senator.

Mr. STENNIS. I thought the actual quotation would be appropriate.

Mr. COOPER. I appreciate that. I know it can be said that we are interested in this only because there are units in our States.

Mr. STENNIS. That could be said, yes.

Mr. COOPER. It might be said that men in these units write us and wish to have the units maintained. I shall not say that does not have any influence. However, considering the long service of the Senator from Mississippi on the Committee on Armed Services, and also his contribution as a member of the Subcommittee of the Appropriations Committee which deals with the Defense Department budget, I should appreciate very much having in the RECORD the Senator's view as to the value of maintaining the National Guard and Reserve units not merely because certain units happen to be located in our States, but with respect to the value they have for the total defense of this country.

Mr. STENNIS. I thank the Senator for the implied compliment in his question. I was going to address the Senate quite briefly on that very point.

I add, it is with a sense of gratification I join in support of the funds for the 700,000 men for the National Guard and Army Reserve units. I fully support providing the necessary dollars to carry out that program.

I think the Berlin callup has been the most convincing peacetime demonstration, by all means, that we have ever had as to the value of our Reserve program and our National Guard program.

As I said on this floor a few months ago, I visited Fort Polk, La., where there are 21,000 men under arms. Every person there, from the privates to the general in command, was a member of a Reserve or National Guard unit. These men were taken from their homes, from their businesses, from their professions, away from their families, on very short notice last September and October. They were actually welded into a formidable fighting unit with strength. They passed very high and exacting requirements.

General Clay told us in a session not long ago that the so-called Berlin callup—the bringing of the reservists and National Guardsmen into service, considering the way their families backed them up, the way Congress backed them up, the way the President backed them up, and the way people throughout this Nation backed them up—was felt like an electric shock in Berlin, in Western Europe, and within the walls of our adversaries. There was testimony in abundance from others who were in a position to know the situation.

I do not think there is any doubt that this was one of the finest demonstrations of the value of the Reserve and National Guard units we have ever had. It proves the need for them and the fact that the program works out in practicality. These men and their families deserve a great deal of credit.

The continuation of this program will also be what the Senator from Mississippi believes is the avenue of military training and utilization of talent whereby we can get the most for our defense dollar. It is possible to provide for approximately five reservists or guardsmen for the same amount required to provide for one Regular serviceman.

As has been demonstrated, in a very short time these men are ready to go, ready to utilize their training and their talents.

Those basic conditions are behind the support, both of manpower and of money, for the Reserve and National Guard units. I think this expression by the Congress will be not only the equivalent of a mandate to the Department of Defense to carry on this program but also an expression of appreciation for what has been done, as well as the further challenge to the men in these Reserve and National Guard units.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. STENNIS. I am glad to yield to the Senator, though I hope briefly, because I am on borrowed time myself.

Mr. GOLDWATER. I thank the Senator. I wished to ask the Senator whether there is any substantial change in the budget estimate for this program this year compared to last year.

Mr. STENNIS. Considering the figures which are in the bill now before the Senate, there is not any substantial change, except for the changes which were caused by the Berlin callup.

Mr. GOLDWATER. If the Senator will allow me to do so, I wish to thank him for his support of the Army National Guard, Air National Guard, and Reserve units in this country. I think it is most unfortunate that these groups have come under an attack by the Defense Department. I feel certain that they have come under this attack without any real knowledge on the part of those who attack of what they are attacking.

I should like to back up what my good friend from Mississippi has said. This is the first time I know of in history in which Reserve units have been able to be used to back up American foreign policy.

One thought which the Russians have held most strongly, more than any other in the field of the military, has historically been that the United States was not equipped to fight a war immediately; that it would be necessary to delay at least 6 months and perhaps a year.

Mr. President, I speak as one who has been in the Reserve movement for nearly 33 years. In the past 5 or 6 years we have seen the National Guard, both ground and air, and the Reserve—ground, air, and Navy—come of age, one might say.

Those units which were called up in the Berlin crisis demonstrated to Mr.

Khrushchev more thoroughly, I think, than anything else the President could have done, that we are ready to fight if he is ever foolish enough to wish to do so. I speak with more knowledge of the Air National Guard than of the ground National Guard, but these units were all ready to go into combat. The Air National Guard units, for example, flew 200 F-84 jet aircraft across the North Atlantic without a single accident. Every single aircraft of the Air National Guard which moved overseas moved overseas without an accident. To my knowledge, only two fatalities have been suffered by the Air National Guard since they were called up in the Berlin crisis.

The ground National Guard was ready to go into combat, into the front line, almost immediately, which I know surprised many frontline commanders in NATO.

Mr. President, I could not let this opportunity go by without thanking my good friend who serves with me on the Committee on Armed Services, who does such an admirable job, for the statements he has made today. I am sure the Department of Defense acted more from ignorance than it did from facts. If anything is needed today, I believe it is the expression of encouragement to the Reserve and National Guard units, in the form of available money and particularly in the form of new equipment. I am hopeful that the Congress—the Senate and the House—will follow this program through and will carry on the tradition of keeping a strong Reserve.

I might bring one final point to the attention of the Senate. No nation in the history of the world has ever been able to maintain a full-strength military. Nations have always had to depend upon their reserves. The European reserve system has always been better than ours because their young men are required to spend periods of time in active service, whereas through one loophole or another the young men of our country have been able to avoid it. Up to the provisions of the Reserve Act of 1951, followed by the act of 1955, we have never really provided any incentive for them or any basic training to be obtained by them. If we obtain that ability I am very hopeful that the Congress in its wisdom will instruct the Secretary of Defense that, in the wisdom of Congress, the Secretary is very foolish even to suggest that we cut back this very necessary and powerful army of our defense.

Mr. STENNIS. I thank the Senator for his remarks and for his fine support of the Reserve and National Guard program, in which he has been consistently active. In all the services most of the Regulars have neglected the Reserves in their thinking. When there comes a division of the dollar, naturally the Regulars are looking after their own programs. Congress has stood up and fought the battles for recognition of the Reserves as well as equipment and facilities. The National Guard must beg for a little facility for National Guard summer training that would cost, for example, only \$100,000.

Recently I spent a day and a half at Camp Polk in Louisiana. I visited many of the units there. I visited a medical

unit which was being led by one of the foremost doctors in my State. The unit had equipment and facilities, and could perform battlefield operations, if necessary. It was prepared to make blood transfusions and do everything that goes with a major medical operation. It is in a high state of preparation. It has an excellent rating. By the way, the unit is rated by the Regulars.

I found at Camp Polk artillery battalions of various kinds. I do not know the proper term to use, but they had excellent ratings. I met with a number of those men and I was amazed at the available talent. There were among them noncommissioned officers who were young businessmen, insurance agents, clerks in stores, and owners of farms. They were leaders in their communities. They were men of the very highest order of intelligence one could find. Those elements are of great value in the Reserve and National Guard programs.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. STENNIS. I yield briefly, since I am speaking on time yielded to me by the Senator from Wisconsin [Mr. PROXMIRE].

Mr. HOLLAND. I thank the Senator for yielding. I commend him for the position he is taking, which is not new to him. He has been taking that position through the years in support of both the Air National Guard and the whole National Guard, and also the Reserves.

Mr. STENNIS. I thank the Senator.

Mr. HOLLAND. I also associate myself with the remarks of the distinguished Senator from Arizona [Mr. GOLDWATER], who for so long has been a distinguished officer in the Air National Guard.

Judging from my mail through the years, from National Guardsmen in particular, a question of morale is involved in the issue which is now being discussed. The National Guard has felt throughout the years, and feels this year, that there is insufficient appreciation on the part of the Regular Establishment of what the National Guard is doing for our country. I invite attention to the fact that it requires a patient, dedicated, and patriotic type of fortitude to render years of service in the National Guard and in the Reserve. They are to be commended, helped, and sustained by the Congress in every way we can do so.

The remarks being made today on the floor of the Senate and the action of the committee in this regard are all in support of an effort which is made not only in time of war but generally in time of peace, when the men in the National Guard and Reserve have something else to do, as we all have. They are making a real and constant sacrifice for our country.

I think we should encourage them and do things that will contribute to their morale rather than to give encouragement to what seems to them—and, I must say, at times to me, to be a lack of appreciation on the part of the Regular Establishment for the dedicated services that are rendered through the years of peace by both officers and noncommissioned and enlisted personnel. I thank



the Senator warmly for the fine position which he has taken uniformly and continues to take today.

Mr. STENNIS. Mr. President, I thank the Senator for his remarks. I agree with him wholeheartedly. Without doubt the response of the Reserves and the National Guardsmen, their families, their communities, and the people throughout the Nation during the Berlin crisis was the real message that was heard in the Kremlin. When the Berlin crisis arose, we had nuclear weapons and missiles that we could have dropped over there, but we could not use them. We had strategic airpower with bombs enough to have blown a nation almost off the map. We could not use them. We had to obtain ground forces. We put the Reserves in action. They filled out the picture; and, at least temporarily, the action produced results.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. CARLSON. I wish to associate myself with the remarks of the distinguished Senator from Mississippi [Mr. STENNIS], the distinguished Senator from Arizona [Mr. GOLDWATER], and the distinguished Senator from Florida [Mr. HOLLAND], all of whom have spoken in regard to the National Guard and the Reserve units.

The Senator from Florida and I have both served as Governors of States in which we had an opportunity to become very closely associated with the membership of the National Guard. As has been mentioned, the quality of those who are willing to give of their time is high. I commend the committee for the action it has taken, which I am hopeful and confident will be sustained by the Congress.

I hope that the Regular Establishments of our military service will seriously consider giving further additional recognition to the National Guard and Reserve units, to which I think they are entitled because they are very important parts of our national defense. As was well brought out, they played a strategic and important part in the Berlin crisis. I thank the Senator.

Mr. STENNIS. I thank the Senator. I observe that the Senator from Connecticut [Mr. BUSH] is in the Chamber. He and I have had several conversations in the committee about the economy of the Reserve. The proposal is really an economic measure. The Senator from Connecticut has been concerned about that subject. He and I have discussed it many times in the committee. We agreed that the dollar went further when it came to manpower and readiness in the Reserve programs than in any other field, even though we must also have the other program.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. STENNIS. The Senator knows my situation. I am happy to yield.

Mr. GOLDWATER. I am sure that the Senator from Wisconsin will be kind enough to yield additional time. I thought it might be of interest to Senators present in the Chamber today to know about some of the organizations of the National Guard which are returning

to the United States from overseas assignments.

There is the 161st Fighter Group, which is returning from Ramstein, Germany. That group included the 197th Fighter-Interceptor Squadron. The commanding general of the 17th Air Force, under whom those men served, was a classmate of mine in school. He told me that never in his life had he been so pleasantly surprised with the high quality of men as he was with that displayed by the Arizona National Guard and the other units that came with them.

Also returning from Ramstein is the 134th Fighter Group, including the 151st Fighter-Interceptor Squadron, which is based at McGee-Tyson Airport, Knoxville, Tenn.

Returning from Moron, Spain, is the 169th Fighter Group, including the 157th Fighter-Interceptor Squadron. They are based at McEntire Air National Guard Base, S.C.

There is the 108th Tactical Fighter Wing, including elements returning from Chaumont, France. They are from McGuire Air Force Base, N.J.

There is the 117th Tactical Reconnaissance Wing, including elements from Chaumont and Dreux, France, which are based at Sumpter Smith Air National Guard Base, Birmingham, Ala.

There is the 131st Tactical Fighter Squadron which is returning from Phalsbourg, France. They are based at Barnes Field, Westfield, Mass.

I could continue to list the returning units. Today one of the most exceptional jobs in the callup is being done by some California outfits. There is the 146th Air Transport Wing, which includes many weather flights, three of which have been overseas. The 131st Weather Flight has been in Phalsbourg, France. The 163d Weather Flight has been in Chambley, France. The 164th Weather Flight has been in Etain, France.

These young men are flying C-97's on daily missions of the Military Air Transport Service to the Far East. They have given up their jobs as doctors, lawyers, and successful salesmen. The commanding general, a close friend of mine, is a west coast businessman, the manager of Newsweek. I am happy to say that Newsweek magazine, in appreciation of his services and the services of other men, has continued him on the payroll while he is in the service. This is one of the greatest experiences in the Transport Service, where, on D-1 plus about 3 we estimated that we would be some 20 percent deficient in transport capability. Through our National Guard Air Service this deficiency has been materially reduced. Under the experience that will be applied in the future, this deficit can be further reduced.

In closing, I say to Senators that late yesterday afternoon I made remarks on this entire subject. They start at page 10206 of the RECORD. Of particular interest to Senators would be the table starting at page 10210 and going through page 10214, showing the Air National Guard units, when they were called, and when they will be released.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article entitled "Guardsmen Eagerly Await Return to Valley of Sun," written by George Ridge and published in the Arizona Republic of June 10, 1962, dealing with the prospective return to Sky Harbor, in Phoenix, Ariz., of the 197th Fighter-Interceptor Squadron, heretofore stationed at Ramstein Air Base, West Germany.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

GUARDSMEN EAGERLY AWAIT RETURN TO VALLEY OF SUN

(By George Ridge)

RAMSTEIN AIRBASE, WEST GERMANY.—"Valley of the Sun, here we come," shouted one member of the 197th Fighter-Interceptor Squadron when the word came that the unit will be returned to Sky Harbor in Phoenix as soon as possible after June 20.

First Lt. John C. Iovinelli, a pilot, just about summed up the squadron feeling when he called Europe "an education in itself." But he added, "I will be happy to return to college."

"It's been great and I enjoyed it," said Capt. Val H. Sklenar. "I wouldn't have missed this tour for the world. But now that we've been given the date, I'm ready to go home."

A2c. Larry A. Nathanson will return to his business administration studies at the University of Arizona.

"I feel we had a job to do and we did it," he said. "Now I'm ready to go home."

The Air Force announcement said specific dates for the return will depend on the amount of time needed and the availability of transportation.

The 197th, recalled last October during the Berlin crisis, has been stationed here since mid-November.

Flags of all NATO nations fly in front of the headquarters building, but the only one visible from the flight line belongs to the State of Arizona.

How do the men from the Valley of the Sun feel about their sudden recall and transfer to Ramstein?

"Now that winter is over, we're beginning to enjoy life," said Lt. Col. Thomas H. Barnard, commander of the 197th.

Ramstein is situated in the rolling, pine-covered hills near Kaiserslautern and the months from December through March feature brisk temperatures and lots of snow.

The area around Kaiserslautern, or K-Town as it is known to GI's, houses the largest U.S. military complex in Europe.

Surrounding the city are some of the loveliest woods and lakes of Germany. An hour's drive away to the east is the Rhine River and the university city of Heidelberg.

Travel seems to have been the major off-duty ambition of the men of the 197th.

"I've been to Paris and pretty well explored Germany," says A1c. Philip Schwab, who worked as a butcher in Phoenix and now is assigned as a cook at Ramstein. "Paris and Germany are different," continues Schwab, "but there's no place like home."

The 197th has run tours to castles and other scenic attractions around Ramstein, and excursions all over Europe were offered through the service clubs.

One member of the Copperheads even gained a measure of fame while on tour.

When Sgt. Ronald G. Hendricks appeared on the ski slope at Berchtesgaden in the Bavarian Alps, he was greeted by a band and a cheering crowd.

The unsuspecting airman was the millionth skier to use the Army-sponsored slope

at Berchtesgaden since the recreation area was opened after the war.

Hendricks, a refueling operator whose wife Rita lives in Phoenix, was "king for a day" with top billing at a banquet and gifts that included free ski instruction, ski trousers, and a key to the city.

A2c. Kenneth M. Place, an engineer with the city of Phoenix, and currently combat operations clerk with the Copperheads, would like to bring his wife to Europe and revisit some of the places he's seen, like London, Paris, Brussels and Amsterdam.

He liked Switzerland best.

"They have mountains there," the Arizonaan said.

For many in the 197th this is the second recall to active duty. For some, like Capt. Walter Armistead, it is the third.

Armistead, who is on leave as head of the English department at Coronado High School, flew Marine jets in the Far East.

Recreation at the base is varied. Capt. Curtis Williams, the intelligence officer, bought a sports car and now places high in rally driving. S. Sgt. Reynaldo G. Cordova formed a softball team, named the Guadalupe Indians.

These off-duty diversions, plus the vital work the squadron is doing as part of the 17th Air Force, have helped to keep morale high, according to Maj. Russell J. Kapp, the administrative officer.

"Sacrifices in this callup have really been in the airman ranks," said Kapp, "and I can't praise our airmen too highly. They had a job to do and they've done it."

A3c. John Montalvo, an aircraft mechanic, interrupted his schooling at Phoenix College to come to Germany.

Relaxed in his office beneath a big picture of the Arizona desert, Barnard praised Ramstein as a "very fine base with very fine people." Barnard, making his first tour of duty in Europe, was one of the founders of Arizona's Copperhead Air National Guard unit.

Even at rest, Barnard never really leaves the high-speed world of the F-104. For example, a recent weekend was spent at Germany's version of the Indianapolis Speedway, Nürburgring, where a 1,000-kilometer auto race was being staged.

Capt. Don Owens, a pilot, finds the big change from Arizona in the flying.

"We can't go up as much, naturally, because of the weather," he says. "There's also a big difference in the flying area."

"The 197th has really put on a good show," says Brig. Gen. F. W. Gillespie, commander of the 86th Air Division.

Maj. Gen. H. R. Spicer, commander of the 17th Air Force, commended the 197th as having "strengthened" his command tremendously.

Perhaps one of the most eager to get home is A2c. Richard Vigas, who has never seen his new-born daughter Lisa.

Richard's father, SM. Sgt. Enzie W. Vigas is an assistant line chief with the 197th.

"Gonna get Dad to Paris?" someone asked the younger Vigas.

"I'd sooner get him to Phoenix," came the prompt reply.

**Mr. GOLDWATER.** I thank the Senator from Mississippi and the Senator from Wisconsin.

**Mr. STENNIS.** Mr. President, in connection with the B-70 discussion I have already brought out material facts. I merely wish to add, by way of reiteration of the figures, the reasons listed by General LeMay.

The present program, when completed, as envisioned by the Department of Defense for the B-70 would cost \$1.3 billion.

The budget this year allowed \$171 million for continued development of this aircraft. However, this does not provide for full weapons system funding. Last year the committee allowed \$400 million for the B-70 and the Department of Defense did not use \$180 million of this appropriation.

This year, the Department of Defense budget recommended \$171 million to continue the program for the development of the XB-70 aircraft. The House added to this sum \$52.9 million which made a total of \$223.9 million available. This \$52.9 million would provide for a start on development of new type of radar.

The program envisioned by the Senate committee's recommendation of \$491 million would provide for advanced technology on the reconnaissance sensor aspect of the subsystem as well as in-flight refueling, the strike missile, environmental control, and autopilot, none of which is possible under the present program envisioned by the Department of Defense. The full \$491 million will also provide for a start on new test aircraft in addition to the three now in the program.

So if it is decided to have the wings, we will have the weapons system ready.

General LeMay listed in general, four paramount advantages of having a mix of aircraft and missiles:

First, it gives us a flexible or versatile capability so that if one method of attack is rendered ineffective because of enemy defenses, we have other methods available.

Second, it forces the enemy to expend maximum effort and resources in his attempt to defend against all methods of our attack.

Third, it compounds the enemy attack problem, both in types and numbers of weapons, which in turn enhances the survivability of each of our systems.

And fourth, the manned systems give us a capability to observe and report the physical evidence of an enemy's situation. This information is a vital requirement for the conduct of war.

Further, Mr. President, with these missiles, whose effectiveness makes more improbable their use, we would find ourselves with weapons that would be the ultimate, to be used only should there be absolute all-out war and complete destruction. With respect to manned aircraft, how can we afford not to carry forward our foremost program while the other programs are phasing out?

If the final decision should be not to use the money, very well; no harm will have been done. The money is available as we provide it for this year.

#### AIRCRAFT CARRIER

With respect to some of the argument of the Senator from Wisconsin on the aircraft carrier, it seems to me this is a very simple matter. The decision has already been made by Congress. It has already been made by the Navy. It has already been made by the Joint Chiefs of Staff. Everyone who has rendered a decision with reference to the carrier, with some personal dissent, perhaps, and every agency of Government that has passed on the question, including both committees of Congress, has found that the need is present and that the

funds are required. The House voted a \$30 million reduction, and the Senate committee voted to follow that reduction.

In the limited war and cold war roles, the aircraft carrier force provides a most important and unique capability. Secretary McNamara has pointed out that there are many potential trouble spots in the world where the aircraft carrier is and will continue to be the only practical means of bringing our airstriking power to bear. Carrier airpower can be employed without involving third parties, without invoking treaties, agreements, or overflight rights. And, as has been demonstrated many times before, the carrier task force is a most effective means for presenting a show of force or establishing a military presence, which often has helped to maintain the peace and discourage hostilities.

The carrier fleet of this Nation is now policing the world, traveling through the waters of the seven seas—in the Mediterranean, the Atlantic, the Caribbean, the Pacific, and the Far East. The carriers are present day and night, every day of every week of the year. The carriers are always on duty, patrolling the waters, with their planes ready to go. One of the finest demonstrations that I have ever seen—even though the aim was not always accurate with the missiles—was on the *Forrestal* off the Atlantic coast, about 60 days ago. These fine units—I have forgotten the exact terminology—with their high-powered planes took off from the *Forrestal* and returned to it, landing at night. I talked with the pilots on board, in the readyroom, as it is called. These fine young pilots, trained to the nth degree, with their whole heart and soul in their mission, are ready with high-powered weapons. These fine young men are sailing around the world day and night.

Nothing has been said of Formosa lately. However, the carriers are there, sailing around all the time. They can reach the trouble spots of the world on short notice. They constitute the greatest single influence of our military power all over the world. More than anything else, every day they help to enforce foreign policy to a degree.

There is no reason to expect that the need for this form of airpower will diminish in the future. The fact that they may be vulnerable to attack in a general nuclear war does not detract from their value in limited war.

Let no one have any doubt that if we ever have a nuclear war, nothing will be left anyway. The entire world will be the target for these weapons.

To meet our commitments around the world we believe a modern force of attack carriers is required. The *Essex* class carrier is marginal for this purpose. Most are about 20 years of age and despite extensive modernization, they no longer are fully effective in their role as attack carriers.

Of course, they have some value. For example, a *Forrestal* carrier can launch aircraft twice as rapidly as can an *Essex* class carrier. The added length and tonnage of the *Forrestal* carriers are a distinct advantage under severe sea con-



ditions prevalent in the Western Pacific, the China Sea area in the typhoon season, or the northern oceans in the winter. In the North Atlantic, for example, aircraft can be operated 345 days per year from the *Forrestal* class carrier and only 220 days from the *Essex* class carrier. Moreover, the *Forrestal* carriers have about 300 percent more jet fuel and over 150 percent more ordnance capacity. Finally, for the same type aircraft the accident and fatality rates on the *Essex* class are considerably higher than on the *Forrestal* class. Carrier operations are hazardous, and aside from the property losses involved, we should take every reasonable step to minimize the loss of life.

Mr. President, I shall not intrude longer on the time of the good Senator from Wisconsin [Mr. PROXMIRE], whose courtesy I deeply appreciate. I thank him for the time he has yielded to me.

Mr. PROXMIRE. I thank the Senator from Mississippi.

Mr. President, I observe that not a sufficient number of Senators are in the Chamber at the moment to order the yeas and nays on my substitute amendment so I shall defer my request for the yeas and nays until later.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. ROBERTSON. I think enough Senators are present, if the Senator will ask for the yeas and nays now. One or two more Senators are in the cloakroom.

Mr. PROXMIRE. Mr. President, on my amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PROXMIRE. I thank the Senator from Virginia.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. CLARK. Mr. President, I know that the Senator from Wisconsin is about to speak at length in support of the position of the President of the United States, the Secretary of Defense, and the Joint Chiefs of Staff, who do not believe they need the full appropriation in the pending bill for the construction of a supersonic aircraft for B-70's. I wish to indicate my strong support of the position which the Senator from Wisconsin is about to take and to pledge my vote in support of his amendment.

In my opinion, it is unfortunate that the committee has seen fit—I believe unanimously—to disregard the advice of the Joint Chiefs of Staff, the Secretary of Defense, and the President of the United States. I suggest that we are probably about to engage in a paper battle, because I am confident that the money will not be spent even if it is voted. Nevertheless, in view of the archaic method in which the budget is now prepared, if the Senate votes for the appropriation the amount will help to swell what we fear will be a deficit.

I shall support the Senator from Wisconsin because, first, the money will probably not be spent anyway, and this amount would distort the budget; second, because I support the President of the

United States and his principal supporters in this regard.

Mr. ROBERTSON. Mr. President, will the Senator from Wisconsin yield, so that I may ask a question of the Senator from Pennsylvania?

Mr. PROXMIRE. I yield, provided I do not lose the floor.

Mr. ROBERTSON. In what way would an appropriation which was not spent be reflected in the deficit? I thought the deficit related only to the amount spent.

Mr. CLARK. It will be reported in every newspaper in the United States that the money has gone into the budget. I know full well, from observing the press in this country, what will happen if the Senate votes for this kind of appropriation. It will be reported all over the country: "Wild-eyed spenders run wild again." This time I do not intend to participate in such an action. I realize that my good friend from Virginia and I are in disagreement, but I honor his opinion.

Mr. ROBERTSON. The committee included in the appropriation bill \$514,500,000 for long-range bombers. There will be an estimated deficit this year of \$7 or \$8 billion. Will that item be any part of it?

Mr. CLARK. The Senator is correct.

Mr. ROBERTSON. Very well. Unless it is spent, it will not be in the budget. So this amount will not be spent, but it will be in the comparison.

Mr. CLARK. The Senator from Virginia is technically correct, but I believe I am practically correct.

I believe every Member of the Senate knows exactly what will happen. The Senator from Virginia has made a great reputation for economy since he has been a Member of this body. I honor him for it. I suggest that this would be an appropriate place to show a little intelligent economy.

Mr. ROBERTSON. How much would the amount of the bill be above the budget?

Mr. CLARK. Actually, it would not be above the budget. I am looking for the figures. The Senator knows the answer to his own question.

Mr. ROBERTSON. The Senator is advocating a cut far below the budget, is he not?

Mr. CLARK. No.

Mr. ROBERTSON. But if we strike out this item of \$514.5 million the amount will be over \$500 million below the budget.

Mr. CLARK. I say to the Senator from Virginia that the facts speak for themselves. They are already in the Record. I suggest again that this is an unwise expenditure. I am sorry the Senator from Virginia disagrees with me.

Mr. ROBERTSON. Unwise or not, let us get the figures correct concerning the deficit, whether we are above or below the budget. We will be \$8 million above the budget if we include training for Air Force and Naval reservists. That item will not be challenged. If the amendment of the distinguished Senator from Wisconsin [Mr. PROXMIRE] were adopted, the bill would be far below the budget.

Mr. CLARK. Mr. President, will the Senator from Virginia yield for a question?

Mr. ROBERTSON. I yield.

Mr. CLARK. Does not the Senator know that this money will not be spent?

Mr. ROBERTSON. On the contrary, the Secretary of the Air Force told me last Sunday that he thought it would. I said to him, "I doubt that it will ever be spent."

He replied, "You may be surprised. Very serious consideration is being given to spending it"; and he urged me to have the committee include it.

Mr. CLARK. The President of the United States told me yesterday afternoon that he was not going to spend it.

Mr. ROBERTSON. The Senator from Pennsylvania has the best authority, but the responsibility for not using the funds will be his, not mine.

Mr. CLARK. I thank the Senator from Wisconsin for yielding.

Mr. YARBOROUGH. Mr. President, will the Senator from Wisconsin yield?

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Does the Senator from Wisconsin yield to the Senator from Texas?

Mr. PROXMIRE. I shall be glad to yield in a moment. First, Mr. President, I wish to clear up several controversies which have developed.

Let me say that I understand that the RS-70 provision in the bill was not reported unanimously by the Appropriations Committee. I may be in error about this, and I shall be happy to be corrected if I am wrong; but I understand that in the committee there were at least four votes against the increase in RS-70 funds. If that is not correct, I shall be happy to be corrected.

Mr. ROBERTSON. That is correct.

Mr. KEATING. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. Does the Senator from New York desire me to yield on this point?

Mr. KEATING. Yes.

Mr. PROXMIRE. Very well; I am glad to yield.

Mr. KEATING. Will the Senator from Wisconsin point out the difference between his amendment and that of the Senator from Illinois?

Mr. PROXMIRE. Yes, I shall be glad to do so. The difference is this:

Following the words, on pages 36 and 37: "Provided, That of the funds available in this appropriation account \$157,000,000 shall be available only for the Dyna-Soar program," and so forth, the amendment of the Senator from Illinois would strike out "\$491,000,000 shall be available only for the RS-70 program." His amendment would insert in lieu thereof "not to exceed \$171,000,000 shall be available for the B-70 (RS-70) program."

My amendment provides for the insertion, on page 36, line 23, immediately after the word "Provided," the following: "That of the funds available in this appropriation account \$157,000,000 shall be available only for the Dyna-Soar program and \$171,000,000 shall be available only for the RS-70 program."

My amendment means that the transferability provided in the bill, and referred to on page 8 of the House committee report, would be available. In other words, if the two studies now being conducted by the groups which have been referred to should persuade the Secretary of Defense that he should use more than \$171 million for this purpose, his hands would not be tied, and he could go ahead. At the same time, my amendment would strike \$320 million from the bill, would reduce the total spending called for in the bill by this amount.

Mr. KEATING. But under the amendment, if I correctly understand it, if it is decided, after the further surveys, that more funds should be used, they could not be used without further appropriation, could they?

Mr. PROXMIER. That is true of the Dirksen amendment. It is not true of my substitute.

Mr. President, I yield now to the Senator from Texas, with the understanding that in yielding to him I shall not lose the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE DIRECTOR CARLTON, OF RESERVE OFFICERS ASSOCIATION, STATES CASE FOR RESERVES

Mr. YARBOROUGH. Mr. President, I thank the Senator from Wisconsin for yielding to me, in order to permit me to make a brief statement in connection with the issue of the desired strength of the Reserve Forces—one of the matters dealt with by the committee.

In connection with the issue of the desired strength of our Nation's Reserve Forces, I noted with some puzzlement that the Secretary of Defense was quoted as having said there is "not one shred of evidence" to support the claim that it would be desirable to maintain our present modest Reserve Forces.

I cannot believe that the able and experienced Appropriations Committee of this body has brought to this floor a bill proposing continuance of the present strengths of the Reserve Forces of the Army, Navy, and Air Force unless the committee had heard not only many "shreds" of evidence, but most compelling evidence. We fully realize that the executive branch has many advantages in coming before our congressional committees, and that it is only when convincing evidence is presented that a committee will recommend any step contrary to recommendations of the executive branch.

In this case, as I have stated on this floor many times, I believe it is folly to talk about cutting back our Reserves. The case has been so well made, not only in the Appropriations Committee, but in the entire Congress, and indeed throughout the United States, that I believe we would be derelict in our duty if we took any other course.

The Senate Appropriations Committee met for many weeks. It heard from a great many people, as well as those from the Department of Defense controller's office. As is perfectly proper, it heard from outside organizations not officially connected with the Government,

although they are just as dedicated to national security as anyone could be. One of these organizations was the Reserve Officers Association of the United States. It holds a charter from this Congress; and its 40-year record is an enviable one. Therefore, it was heard with open minds by the committee members, and it made a presentation which was quite proper. The ROA's statement, presented by Col. John T. Carlton, the executive director, who is well known to many of us as a former staff member of the Senate, is of particular interest; and I ask unanimous consent to have it printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF COL. JOHN T. CARLTON, EXECUTIVE DIRECTOR, RESERVE OFFICERS ASSOCIATION OF THE UNITED STATES, BEFORE THE SENATE SUBCOMMITTEE FOR MILITARY APPROPRIATIONS

Mr. Chairman and members of the committee, we appreciate the opportunity to present our views regarding the appropriations for our Reserve Forces.

The recent partial mobilization has demonstrated clearly that the Reserve Forces are vital to the security of this country even in relatively minor crises. In a major mobilization the need for their services would be intensified. Any doubts of these fundamental facts have been completely dissipated in the minds of all practical military men.

Our active Army, even with the two new divisions, is an Army able to deploy only 16 divisions into combat. Such minor countries as Yugoslavia, Turkey, and South Korea are able to field larger armies than this. Our Navy's Fleet is manned, with the exception of the Polaris submarine, and the newly constructed ships, at a level of 80 percent of war complement. The combat elements in our Air Force approximate the same.

The numbers in the organized Reserves of the Army, the Navy, and the Air Force are not sufficient to meet the elementary requirement of putting an Army in the field comparable to that of a major power or of bringing the combat elements in the Navy and Air Force up to their war complements. Moreover, the manning ceilings imposed on most Reserve units, arbitrarily established by the Department of Defense in order to conserve drill pay spaces, have seriously impaired the capability to achieve maximum readiness. The shortsightedness of this policy was brought glaringly to light during the recent buildup when the shortages had to be made up with the so-called "fillers."

The Congress is charged with the responsibility of providing the funds in peace and war for the security of our country. The Armed Services Committees have approved Reserve Forces considerably larger than those requested by the Secretary of Defense. For several years now the Secretary of Defense has insisted on ignoring the will of the Congress and the desire of the services in the matter of financing adequate Reserve components. Generally this is brought about by the influence of the comptroller element within the Defense Department and the Bureau of the Budget rather than by accepting the considered judgment of experienced military leaders.

We think that the niggardly policy imposed by them upon the Reserve Forces is dollar wise and defense foolish. We believe that it is doing a serious injury to our country's mobilization base. We respectfully ask that you examine carefully the areas of this budget which we will discuss in our presentation on the requirements of

each of the services. In them we have pointed out elements that we believe demand restoration to preserve the national security. Our requests are modest. We only ask for adequate strength and an adequate training program.

#### ARMY RESERVE APPROPRIATIONS

In our statement before the House Armed Services Committee on March 28, we justified an increase of \$32.8 million to support the strength and training of the Army Reserve. Accordingly, that committee recommended "an increase of \$58,800,000 to maintain the strength of the Army National Guard at 400,000 and the Army Reserve at 300,000." That increase was approved by the House and is now in the bill before you. We heartily recommend its retention.

For the record, however, we would like to quote a short passage from the House committee report (No. 1607) as follows:

"A proposed reorganization of the Army Reserve components is the primary issue in the military program. The strength and composition of the Army Reserve components have been a point of contention for many years. Previous budgets have recommended from time to time that the Army Reserve and National Guard be reduced in strength and each time the Congress has provided for continuing the strengths at previous levels. The revised plan, as proposed by the Department while reducing the paid drill strength at the same time proposed to increase the overall readiness and indeed the reliance of the Active Force on the Reserves. The committee is proposing that the higher strength levels be retained. The funds to be appropriation have been increased accordingly."

To summarize, we would like to repeat the recommendations we made to the House Appropriations Subcommittee:

(a) That the Army Reserve budget for fiscal year 1963 be increased by an amount sufficient to maintain the present minimum level of 300,000 paid drill spaces with 48 drills per year.

(b) That the technician program be increased by an additional 500.

(c) That there be no realignment or reorganization of the Reserve structure pending a complete hearing by the Armed Services Committees on the Reserve program.

(d) That there be no reduction in the division forces of the Army Reserve structure.

(e) That the reorganization of the Reserve division forces be in consonance with that of the Regular Army in order to avoid premature inactivations and activations.

#### NAVY RESERVE APPROPRIATIONS

The recent callup provided a convincing demonstration of the value of the Naval Reserve. The antisubmarine warfare component of the Naval Reserve was called. Its response was immediate. Reserve commanding officers steamed their destroyers and flew their aircraft as a part of the fleet without any postmobilization training. Within days their ships were all over the world—they were a part of the Dominican patrol in that crisis; they are presently in the north Atlantic as a part of "Task Force Alpha" and their aircraft are flying antisubmarine warfare surveillance patrols daily.

This truly marked a historic achievement. Yet, in spite of this demonstrated effectiveness, in spite of the pledge to the Congress by the Secretary of Defense to intensify the training of the Reserves, the proposed Reserve personnel Navy budget contains additional cuts in Naval Reserve training.

For the past several years Naval Reserve training has been gradually reduced.

In 1961 the Congress enacted an appropriation for Reserve personnel, Navy, of \$88 million. This was a sound, needed appropriation which met the requirements of the Navy in a modest yet adequate manner.



Immediately upon receipt of the appropriation, the Bureau of the Budget impounded \$2 million. The Defense Department Comptroller almost equaled the speed of the Bureau of the Budget in holding back an additional \$2 million.

Being forced to curtail their plans to fit the reduced apportionments, it followed that obligations and expenditures were reduced and approximately \$4 million were not used.

This served to form a new and lower plateau for the 1962 appropriations, which were reduced to approximately \$84 million.

The Navy is operating on this budget now and it is proving entirely inadequate at a time when the Secretary of Defense has indicated that the tempo of Reserve training should be substantially accelerated.

In December, the training of the selected Reserve components was reduced by the cancellation of drills.

In January, the Naval Reserve officers schools, so essential for officer training, had their instructors' billets reduced by 15 to 20 percent. The commanding officers of these schools were deprived of their drill pay.

In January, in at least one naval district the members of the specialist component were advised that they could have no active duty for training even though they had volunteered to take this duty without pay.

Yet in the face of an obviously inadequate appropriation the Navy Department has been required to submit a request for a budget of approximately \$1,400,000 less than the 1962 appropriation.

Mr. Chairman, we realize that the Secretary of Defense has great problems in developing the posture of the Active Forces. They are immediate problems. Nevertheless, though the problems of immediacy may appear to be overwhelming, it should always be borne in mind that the Navy, when hostilities commence, will not be the Navy of today, composed primarily of Regulars, but will be a Navy composed of Regulars and Reserves. Its effectiveness in combat will be measured almost directly upon the effectiveness of the Reserves who move into it.

Curtailed Reserve training now will mean a dilution of the Navy's effectiveness on mobilization.

We do not ask for any frills. We do not ask for any large additions. We ask only for an appropriation adequate to maintain a decent training level.

We believe that there are three areas in this budget that should be increased. They are:

(a) The Selected Reserve (p. 153, pt. I, "Military Personnel," hearings of the House Subcommittee on Military Appropriations): Pay group A, 48 paid drills and 15 days of paid active duty for training; pay group B, 24 paid drills and 15 days of paid active duty for training; pay group F, 90 to 180 days of paid active duty for training.

This element is currently budgeted for an average strength of 122,488. Last year it was budgeted for 125,000; the year before at 127,000. It has been steadily cut back from year to year.

The minimum requirements to augment and support the fleet on mobilization is a strength of 161,000. The Secretary of Defense has authorized a strength of 135,000. The Navy has not in the past several years been permitted to ask this committee for funds to maintain this strength.

We urge the committee to provide funds for an average strength of at least 130,000.

The estimated cost of this addition is \$5.3 million.

(b) Category D training (p. 153, pt. I, "Military Personnel," hearings of the House Subcommittee on Military Appropriations): Pay group D, 15 paid days of active duty training.

This element is currently budgeted at 2,700 officers. It represents the only paid train-

ing received by officers in the Specialist Component (Naval Research, etc.) and young officers who are fresh from the fleet and who cannot join the selected Reserve.

In 1961 it was budgeted at 7,645, the year before at 10,259.

It also has been steadily cut back from year to year. Our particular concern relates to the younger officers. These officers are products of the various officer procurement programs who have had from 2 to 5 years active duty in the fleet.

All of these officers are highly competent. Some of them have been heads of departments on such complicated ships as the new fleet destroyers. If they can go to sea for 2 weeks each year, they will retain their competence. If they cannot, they will soon become useless as naval officers and will lose interest and be lost to the Navy.

In our view, this is extremely shortsighted economy and is a waste of talent trained at great expense.

We urge the committee to provide funds for sending at least 8,500 of these officers to active duty for training annually.

The estimated cost of this addition is \$1.8 million.

(c) Accelerated training (p. 157, pt. I, "Military Personnel," hearings of the House Subcommittee on Military Appropriations): Surface, submarine, and special, accelerated recruit program, 70 days; accelerated class A program, 90 days.

The accelerated recruit program is currently budgeted at 800 enlisted men and the class A program at 350 enlisted.

Here again there has been a steady erosion of both of these elements. Recruit training was budgeted at 800 last year and at 1,500 the year before. Class A training has moved from 800 in 1961 to 350 in the present budget.

This is the finest enlisted training program used by the Navy. It has been adequately described to this committee. The specialized and concentrated training these young reservists receive at schools combined with the 2 years of practical active duty they receive in the fleet make them into the finest type of petty officer, comparable to their Regular Navy contemporaries. This program deserves better than it gets.

We urge the committee to provide funds to increase the quota to at least 1,100 men in the accelerated recruit training category and to at least 1,100 men in the accelerated class A category.

The estimated cost of these increases are \$100,000 and \$474,000 respectively. The proposed operation and maintenance budget and the proposed military construction and Naval Reserve budget are to the best of our knowledge adequate. The total increase requested amounts to \$7,674,000, which would increase the overall RPN budget to \$91,474,000. We are asking for these increases, Mr. Chairman, because we are convinced they are required to maintain the very minimum necessary to provide an effective mobilization capability to the fleet.

Mr. Chairman, we would like to respectfully invite the attention of the committee to the fact that when the House organized itself into a Committee of the Whole House to consider the bill, Congressman SIKES, a senior member of the subcommittee, pointed out that the average strength permitted by the bill was for 122,488 men as against an average strength of 125,000 for the previous year. He pointed out other deficiencies listed herein and expressed the hope that the Senate would correct them. Congressman ROBERTS of Texas made a similar statement, and Congressman MAHON, the chairman of the subcommittee, indicated his hope for consideration by Senate action. (See CONGRESSIONAL RECORD, Apr. 17, 1962, pp. 6849-6850, and CONGRESSIONAL RECORD, Apr. 18, 1962, p. 6899.)

#### AIR FORCE RESERVE APPROPRIATIONS

The Air Force also is faced with unwanted cuts in Reserve personnel funds and has been forced into defending appropriation requests in an amount much smaller than they really require for a well-balanced Air Force Reserve.

The major identifiable cuts made in their requests to the Department of Defense have been at the expense of its well-known recovery program, so I will devote the major part of my remarks to this situation. However, the testimony from the Air Force witnesses (see p. 455, pt. I, "Military Personnel," of the House Military Appropriations Subcommittee hearings) indicated that the greater part of a million dollars has been cut from the 1962 program supporting other Reserve functions. This will undoubtedly mean fewer active-duty tours for highly skilled people in pay group D and E, fewer courses of technical training for the Air Force's hard-core officers and enlisted men and generally less participation in these other programs.

But the greatest injury to the Air Force Reserve program in the Department of Defense proposed 1963 budget is in the recovery program. Approximately \$6.7 million were cut from the Air Force Reserve personnel requirements in the Department of Defense proposed budget, arbitrarily holding the strength at 20,000 versus a requirement for 32,000 for the recovery program. Reserve personnel funds for this program will be restricted to \$8.3 million versus a requirement for \$14 million. The effect is that training will be reduced by 50 percent, and manning from 75 percent of authorized strength to 50 percent or less. The Air Force requirements, as well as the drastic effect of this cutback, are adequately detailed in the testimony of Air Force witness on page 454, part I, of the House Military Appropriations Subcommittee hearings.

The record is quite clear. Last year \$56 million was appropriated in personnel funds to the Air Force Reserve. This year the Department of Defense request is for \$50,100,000, the lowest request in at least 7 years. To us, this is inconceivable, especially in view of what is being brought out during the Reserve posture hearings in the House. This evidence indicates quite clearly to us that the reduced manning and foreshortened training resulting from restrictive budgets imposed by Department of Defense were the principal causes of the difficulties faced in the Berlin buildup by all Reserve units.

The reference we made to Congressman SIKES' speech in the statement on the Naval Reserve holds true with the Air Force Reserve. He pointed out that Defense Department reductions in the Air Force Reserve personnel budget have hamstrung the Reserve, particularly in view of the added mission of the recovery program.

The addition of the \$6.7 million which we request and the Air Force needs will allow a proper continuation of the recovery program and provide funds for adequate training and manning of its established units and individual mobilization positions.

We appreciate the support this committee and the Congress gave the Air Force Reserve program last year in appropriating an additional \$4 million. We regret the action by the Department of Defense in withholding these funds from the Air Force. We hope and request that this committee will approve the additional funds for fiscal year 1963 to serve notice that the Congress, at least, is not going to let this highly essential military program fall by the wayside.

#### SUMMARY

This concludes our statement. We sincerely appreciate this opportunity to appear before you. We have made no unreasonable demands. We believe we have exercised reasonable restraint and have asked for the

bare minimum necessary for adequate national security.

Strong Reserve programs are essential to our survival. Fascination with new and developing weapons systems has understandably preoccupied the new leadership in the Defense Department. This is natural, but it can be harmful because minor analysts invariably fill this vacuum and work their wills unobtrusively with cuts and more cuts.

The Reserve programs and the Nation need your help to maintain a safe minimum. The seriousness of the heavy erosion that has taken place in the last several years may be vividly illustrated by the fact that the Reserve programs now stand at approximately one-half of the drilling strength set forth in the National Reserve plan as established by the Defense Department and adopted by the Congress as the rockbottom requirements.

We sincerely hope that you will hear our plea and restore the relatively small additions that are so urgently needed if the training of our Reserves is to be maintained at an acceptable level.

Mr. ROBERTSON. Mr. President, will the Senator from Texas yield?

Mr. YARBOROUGH. I yield.

Mr. ROBERTSON. I thank the Senator from Texas for endorsing the stand taken by the committee. We heard much testimony on this matter, and we were unanimous in regard to it. It is discussed on pages 5 and 6 of the committee report.

There is no doubt that someone in the Defense Establishment—although I do not know who it was—decided that a cut should be made in the National Guard and in the Reserves. There is no doubt that that decision was made. The representatives of the Department came to us with a program which was called realignment. However, at the time we had no doubt that that was a "phony" term, and that the purpose was, not to realign these forces, but to eliminate them.

We heard testimony, from the heads of various important organizations, that it is important to our future to have a civilian army, as well as a professional standing army, and that all the States take pride in their National Guard organizations.

Furthermore, the House has included only the amounts necessary to maintain National Guard strength at 400,000 and Army Reserve strength at 300,000. Our committee added a provision that the funds must be used for those purposes.

I thank the Senator from Texas for his statement.

Mr. YARBOROUGH. Mr. President, I wish to commend the Appropriations Committee, and particularly the distinguished Senator from Virginia [Mr. ROBERTSON], who spent many weeks in taking the testimony at the hearings, for the consideration they gave and for the knowledge they brought in working on the bill, and I desire to thank them particularly for the consideration they gave to the Reserve requirements and for the great care they gave to this bill.

ALLOCATION OF NAVY SHIP WORK TO PRIVATE SHIPYARDS

Mrs. NEUBERGER. Mr. President, will the Senator from Wisconsin yield to me?

Mr. PROXMIRE. I yield.

Mrs. NEUBERGER. Mr. President, I support the new section 540 added to H.R. 11289 by the action of the Senate Appropriations Committee. The amendment gives long-overdue recognition to the private shipbuilding industry of the United States as an element in our national defense structure. It is my hope that the proposal—recommended by the Department of Defense—for allocation of 35 percent of Navy ship repair, alteration and conversion work to private shipyards will be approved by the Senate.

With the decline of the U.S. merchant marine in recent years, privately owned shipyards have been hard pressed to maintain costly facilities and keep together a trained and competent work force. Lack of ship construction and repair work has frequently reduced yards in my home city of Portland to skeleton operations.

I am greatly indebted to the floor manager of the bill, the Senator from Virginia [Mr. ROBERTSON], who also is chairman of the Banking and Currency Committee, on which I serve, and where we deal a great deal with small-business operations. This allocation of 35 percent of Navy ship repair work will be in the nature of aid to a small business in my community, where our shipyards are small enough to come within that requirement.

Mr. President, a moment ago I stated that in recent years the lack of ship construction and repair work has frequently reduced the shipyards in my home city of Portland to skeleton operations. This was not always the case. During World War II, shipyards in the Portland-Vancouver area turned out 746 major ships, ranging from tankers and Libertys and escort carriers. Other private yards in the vicinity turned out 990 small vessels during the same period. It is estimated that one out of every seven merchant vessels built for World War II service came off ways in the Portland area. This is an impressive production record.

I hope we shall never again be called upon by war to duplicate that record of ship construction. But it would be unrealistic to permit our private shipbuilding industry to decline, and thus deprive our Nation of a valuable defense tool.

The allocation formula established in section 540 will not mean any lessening of the effectiveness of naval shipyard operations; but it will help to assure private shipyard capability manned by a trained and competent work force. Therefore, I urge favorable action on the amendment allocating 35 percent of repair, alteration, and conversion to privately owned shipyards, and 65 percent to Navy shipyards.

I thank the Senator from Wisconsin. Mr. CASE of South Dakota. Mr. President, will the Senator from Wisconsin yield to me?

Mr. PROXMIRE. I yield.

Mr. CASE of South Dakota. I understand that we now have pending two amendments—one submitted by the Senator from Illinois [Mr. DIRKSEN], which would reduce to not to exceed \$171 million the amount available for expenditure on the RS-70 program, but would

earmark, from the total amount to be available for research, testing, and evaluation, \$171 million, which could be spent only for that purpose; if it were not spent for that purpose, it could not be spent for anything else.

The amendment offered by the Senator from Wisconsin as a substitute would strike out the words "not to exceed," in effect, and would still leave \$171 million that could be spent only for the RS-70 program. However, the language the Senator from Wisconsin suggests would not prohibit the use of additional money on the RS-70 program, provided it were taken out of the balance of the overall total of \$3,670 million for research, development, test, and evaluation in the Air Force.

The Senator from South Dakota has followed, with a great deal of interest, the debate as it has been presented before the Committee on Armed Services, both last year and this year. I must say that, though I believe a dollar costs a dollar to the taxpayer whether it goes for defense or anything else, if we have a doubt, the prudent thing is to provide the money so long as we have confidence that it will not be spent if it is not needed.

There are some agencies of the executive branch of Government to which I would not give ready access to a sum of money as large as this, even though a reasonable case might be made for a project. In this case, however, I must say Secretary of Defense McNamara has been so clear in his presentation of budget items and so firm in his statement that he would not spend money unless it was needed. Since in these particular items, if he leans in one direction or another, he leans against spending money, it seems the better part of prudence to make the funds available, provided they are earmarked so they will be spent only for this purpose. That is what the language provides.

The Proxmire language would make it possible to spend more than \$171 million if it were taken out of the research funds. The language of the amendment of the Senator from Illinois would place a ceiling of \$171 million which could be spent on this particular account. That would be the ceiling of the amount that could be spent without further action of the Congress.

My observation, over years of experience with military appropriations both in the House and the Senate, is that we need to regard with a careful eye appropriations made to the military. I think we should make all possible efforts to recapture excessive profits or prices; but if the element of safety or protection or a proper posture of national defense is involved, then I think the doubt should be resolved in favor of security.

The most valuable, the most productive, the most successful projects that we have had in the way of aircraft development have been those which have accomplished their purpose without being used in war. I mention, for example, the B-36. It was developed in the period between the B-29 and the B-52. This large bomber was never used in a hot war, but by its presence it pro-



vided a deterrent capability which enabled this country to survive many crises which might have turned into hot war had we not had that potential.

Because I think it is important that we not only have a lead, but maintain the lead and be out in front in the future, I shall support the recommendation made by the committee in the bill.

I thank the Senator for yielding.

Mr. PROXMIRE. Mr. President, first I want to make it crystal clear why I think this particular substitute should be adopted in place of the amendment offered by the distinguished minority leader. On the basic principle I agree wholeheartedly with the minority leader. The fact that he, with his prestige in the country and the Republican Party, is offering an economy amendment to a defense bill is enormously encouraging and deserves commendation.

At the same time, we should consider what the House has done and how the bill has passed the House and what the position of the administration is. We could probably save \$320 million. We could reduce the bill by \$320 million. Both the Senator from Illinois and the Senator from Wisconsin do that. The House committee in its report on the bill, on page 8, said:

The committee has also provided funds and transfer authority in the emergency fund appropriation to the extent of \$300 million, which could be utilized at least in large part for this program—

That is the RS-70 program—

should the determination be made to do so.

I think we all recognize that Mr. Vinton in the House and distinguished Members of the Senate have made a hard, strong, and very effective fight for the expansion of the program at a more rapid rate than the Secretary of Defense had contemplated.

One of the concessions they have been able to win from the Defense Department is that two careful studies of the subject will be made, one by the Department of Defense, headed by the distinguished head of Defense Research and Engineering, Dr. Harold Brown, and one by the Air Force itself, to answer the very serious questions as to this whole program that were raised by the Secretary of Defense.

Both the Secretary of Defense and Dr. Brown have indicated that in the event these reports are favorable, they will go ahead more rapidly with the RS-70 program. I think all of us, unanimously, feel that if there is a real promise in this program, if it meets the objections raised to it by the Secretary of Defense, we should go ahead with it.

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. GOLDWATER. Will the Senator, for the benefit of the legislative history, give the background in the military and tactical fields of Dr. Harold Brown?

Mr. PROXMIRE. The Senator from Wisconsin knows him as Director of Defense Research and Engineering. He has that area of background, but he is a man of distinguished achievement and ability in engineering, as I understand. He is dedicated to viewing this program

based on the overall view, and not on the provincial view of one Department, the Air Force. I will accept the statement of the Senator if he is implying that he is not an expert in this particular field. I will admit he is not if the Senator from Arizona indicates he is not.

Mr. GOLDWATER. No. I do not know Dr. Brown. I wondered if we could get into the RECORD some background for his qualifications to decide whether or not the RS-70 program is a good one for the defense of the country.

Mr. PROXMIRE. It is my understanding that Dr. Brown is the selection of the Secretary of Defense, who approves of him and relies on him and respects his judgment. The Secretary of Defense has a remarkable record for selecting competent personnel, both in private business and in his Department. Dr. Brown is the top, overall expert authority for the Department of Defense viewpoint, rather than that of any one of the three armed services.

Mr. GOLDWATER. I do not have any quarrel with his professional or technical background, if he has one. I merely thought it would be interesting to have it in the RECORD so it would lend strength to whatever report he might make, showing what experience he has had in the field of strategic or tactical aircraft or concepts.

Mr. PROXMIRE. Would the Senator from Arizona agree that in the event Dr. Brown's committee and/or the Air Force committee came up with the recommendation that more money should be spent on the program, it would be in the national interest to make it possible to spend more funds on the RS-70 program?

Mr. GOLDWATER. Whether the report is favorable or unfavorable, at least this Senator will be influenced by what he judges to be the competency of those people reviewing the program. I would place much weight upon a person who came from the aeronautical field, upon a person who is familiar with strategic and tactical concepts.

As I have said, I do not say that Dr. Brown does not possess these attributes. I do not know. I thought possibly the Senator from Wisconsin knew.

Mr. PROXMIRE. No. I wish to underline, however, the importance of this particular substitute amendment. If the amendment of the Senator from Wisconsin should fail and if the amendment of the Senator from Illinois [Mr. DIRksen] should be agreed to, then it would be impossible for the Air Force to spend more than \$171 million on this program even if the Secretary of Defense wished to do so, if Dr. Brown wished to do so, and if the Air Force wished to do so, without additional legislation.

Mr. GOLDWATER. If I were to lean to an amendment, though I do not lean to one at this time, I would lean to the Senator's amendment.

Mr. PROXMIRE. I thank the Senator from Arizona.

Mr. President, there were very fervent and appealing pleas for economy made in the Senate yesterday, and they were deeply sincere pleas. They dealt with the question of spending an additional

\$2 million in one case and an additional \$6 million in another case. I think it was perfectly proper and appropriate to make a fight on those amendments.

Now we are dealing in a far different dimension. If we are to be effective in achieving economy for this Government, we have to take the very painful and difficult step of considering economy in respect to this particular appropriation bill, which is far bigger than all the other appropriation bills we shall consider in toto. As the committee report indicates, the total involved in respect to this bill is \$48,429,000,000—48 thousand million dollars. That is equivalent to \$1,200 for every family in this country. As I say, it is much more than one-half of the total budget.

It is substantially more than half, of course, when we recognize that much of the remainder of the budget—particularly the part with respect to the service on the national debt—is wholly beyond our control.

The Senator from South Dakota properly said that, when in doubt with regard to a question of economy on the one hand and of security on the other, we should vote for security. I could not agree more. Certainly we should do so. That is one reason why I think the amendment which I am offering today would permit us to do what is necessary, because if there is any doubt in the mind of the President of the United States, if there is any doubt in the mind of the Secretary of Defense, after the studies have been made, then under my amendment, as it is worded, it would be perfectly possible to take action. The President and the Secretary would be free to use the emergency fund which is in the bill for this precise purpose, put there in the House of Representatives. It will be available to be spent. Certainly, if more money should be needed, there is no question in my mind that all Senators would join enthusiastically in supporting a supplemental request by the President of the United States. Certainly I would be one who would be most enthusiastic.

I imagine the most adverse situation which could possibly develop is if there were a report made which was very favorable to the RS-70 program, or a big breakthrough, let us say on September 10, and if the Congress had adjourned sine die 3 or 4 days earlier. Then it might be necessary to wait 3 or 4 months. In the meantime, however, the full \$171 million would be available. In addition, much of the \$300 million would be available. All of that money could be spent immediately.

I am confident—as I am sure all other Senators are confident—that as soon as Congress returned the Congress would at once approve a supplemental appropriation to provide additional funds, if they were needed.

This is a moderate approach. It is also an approach which recognizes the legitimate, proper, desirable concern of the Secretary of Defense and of the President of the United States about this whole program.

I wish to quote from the words of the Secretary of Defense, because I think

he has made a devastating case against going ahead as precipitately as the committee would have us do.

The Secretary of Defense said this on March 15:

The secretaries and chiefs of the other services, whether under this administration or the previous administration, never supported the B-70 for full weapon-system development or procurement and, indeed, many vigorously opposed it. So it is a matter of record that the B-70 has long been considered a very doubtful proposition, with the weight of competent scientific, technical, and military opinion against it for many years.

I wish to make it clear that I do not oppose this program. I do not oppose it. My amendment would in no way restrain the program, provided the Secretary of Defense can be satisfied that the studies which are now being undertaken properly suggest there can be a productive expenditure of money for the B-70 program.

The Secretary of Defense said further:

In selecting a weapon system to accomplish a particular military task—

This is the important point, Mr. President, which we are inclined to neglect—we are dealing not with absolutes but with comparatives.

The whole thrust of the Secretary's position is not that we should not spend the money, or that it is not a question of national defense, but that there are alternative ways of proceeding, which will be more effective and which will give us stronger armed forces. If we wait until we have the answers, instead of rushing in, we may make more progress.

The Secretary said further:

We must always take into account not only the planned capabilities of the proposed weapon system but also its full cost in comparison to the cost and effectiveness of other weapon systems which can do the same job, perhaps in somewhat different ways. I believe we can all agree that the common objective of both the legislative and the executive branches of our Government is to provide all of the forces we need for our security at the lowest possible overall cost.

Then the Secretary specified the real difficulties in regard to the RS-70 program. He said:

The RS-70, as proposed by the Air Force, is very far from being ready for production or even full weapon-system development.

The Secretary of Defense may be mistaken. Because of his great regard for distinguished Members of Congress who suggested that further research be done, he has agreed to do that. He has also agreed that if the studies are at all promising, then he will proceed, as the Air Force has suggested.

It seems to me the Secretary is very wise in saying that we should not commit ourselves to the expenditure of almost a half billion dollars—of \$491 million—which, added to the \$1 billion we have already put into this program, would make it very hard to turn back and would result, as I shall show, in an enormously expensive weapons system, when there are alternatives which are far less expensive and I think will be more efficient.

The Secretary also said:

The new subsystems which could provide the RS-70 with its damage assessment capability have been started in development, but we are not sure now that we know how to develop successfully the extremely high data rate, sharp resolution radar system required.

The position of the Secretary of Defense is, "Let us find out first, before we commit these additional hundreds of millions of dollars."

Mr. GOLDWATER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Arizona.

Mr. GOLDWATER. I have been following very carefully, in an interested way, the discussion of the Senator from Wisconsin, in his review of the press release of the Secretary of Defense of March 15.

The Senator read that:

The RS-70, as proposed by the Air Force, is very far from being ready for production or even full weapon-system development.

Is the Senator aware that this airplane is to be put together in July, wheeled out of the hangar in September, and flown in December?

Mr. PROXMIRE. Yes. The Senator from Wisconsin is well aware that there will be prototypes built. As a matter of fact, the main purpose of the additional \$300 million is to build not three prototypes but six prototypes. It is true that a prototype would be built in the near future.

I think the Senator from Arizona would join the Senator from Wisconsin in saying that this is not putting the weapon into production. The purpose of producing the prototype is, as I am sure the Senator from Arizona knows far better than I, to check out some of the serious problems, rather than to produce a weapon. Merely producing one aircraft does not mean it can be mass produced indefinitely.

Mr. GOLDWATER. The Senator used the figure of six B-70's or RS-70's. Would the Senator tell me where he got that figure?

Mr. PROXMIRE. Yes, I shall be happy to tell the Senator where I got the figure.

On page 1049 of the hearings the Senator from Virginia [Mr. ROBERTSON] was questioning General Ferguson, and he said:

What do you mean "three more airplanes"?

General Ferguson in reply said:

We have only a three-airplane program at this time. In response to Senator SALTONSTALL, I said we would like to have \$320 million more in 1963 to undertake the program which we had submitted for approval to the Department of Defense. That includes three more airplanes and the airborne radar and the other developments that are required for an airplane that is very close to the operational configuration that we would like to have.

That is on page 1049 of the hearings.

Mr. GOLDWATER. I should like to read from page 1369 of the hearings on the Department of Defense appropri-

tion bill. I asked General LeMay this question:

First, we have heard a lot about the cost of the B-70 program being \$10 million.

The record inadvertently says, "\$10 million" when it should be "\$10 billion."

Did this figure come out of the Air Force?

General LeMay. No, sir; it did not. We have never submitted a program for production. In other words, we prefer to wait until a little later before determining how many of these weapon systems we are going to need, or how many B-70's we will need.

It depends on the threat at the time. This system will not come in until 1967. That is 5 years from now. We have not had too much luck in forecasting intelligence that far ahead.

There is another paragraph which I shall not read.

The Chief of the Air Force, in the hearings before the Appropriations Committee, indicated in his testimony that no plans had been made with respect to how many aircraft would be needed. At this time I wish to scotch the rumor that the Air Force is seeking \$10, \$20, or \$50 billion for an unlimited number of RS-70's. According to the testimony of General LeMay, his statement is in conflict with the testimony of General Ferguson, which, unfortunately, I did not hear.

Mr. PROXMIRE. In addition to the testimony of General Ferguson, testimony from the Defense Department was very explicit on that point. The Senator from Missouri [Mr. SYMINGTON] questioned General Ferguson at several points. He had to proceed on assumptions. The Senator from Arizona is quite correct. There have not been any definitive determinations as to exactly how many planes would be required. Until that point is determined, it is difficult to tell exactly what the cost would be.

In answer to a question of the Senator from Missouri [Mr. SYMINGTON], Dr. Brown estimated that the first 45 planes would cost about \$5 billion. He estimated that the next 100 planes would also cost about \$5 billion. The first 45 planes would cost about \$100 million apiece. The next 100 planes would cost about \$50 million apiece.

It is true that the Senator questioned the qualifications of Dr. Brown, but he is the top overall expert authority in the Defense Department. That particular estimate has not been questioned, although I understand General Merrell said that the figure was high. On page 1043 of the testimony, he said:

General MERRELL. I would like to correct it exactly for the record, if I may, sir, but our figure is approximately \$7 billion.

He made the figure \$7.6 billion for 150 planes, but he left out the tankers and the operating cost. The figures might be quite close if the total cost of the operation were included.

Mr. GOLDWATER. We are not talking about 150 airplanes, 200 airplanes, or 10 airplanes. Again I am forced to question the ability of Dr. Brown when he pulls figures out of the air. Why did he not use 500 or 300? To my knowledge,



and my knowledge may be lacking, the Air Force has never submitted a plan for any quantity of such aircraft. I know that various individuals in the Air Force hold different ideas as to what the Department would like to have or should have. I asked General LeMay about the figure of \$10 billion that has been floating around. The Secretary of Defense has used the figure. I believe he used it in his press release. I asked General LeMay, the Chief of the Air Force, about that figure and he said, "It does not come from the Air Force."

At this point I should like to eliminate any discussion about the long-range probabilities in connection with the cost of the airplane. If it proves to be a good weapon, I do not believe that the Congress will quibble about how much it will cost. The only point I wish to bring out is that there is no program in the Air Force, or any decision as to the number of planes to be built. I have heard of three.

If the Senator will allow me, our colloquy might save the Senate the unpleasantness of hearing me speak on the subject. I did not interrupt the Senator a moment ago when he spoke about economy. I thought I had better tie my tongue. I believe that his amendment would bring about a very uneconomic move. We have already spend upward of \$1 billion on the program.

About a month ago I visited the factory in Palmdale, where the plane is being assembled. Many hundreds of skilled craftsmen there are looking forward to a cutoff date sometime in July. Other hundreds are looking for a cutoff date in September. Other hundreds are looking for a cutoff date with the fly-away from Palmdale to Edwards Air Force Base late in December.

I am as conservative about the expenditure of money as is my good friend from Wisconsin or any other Senator. But I cannot justify the action proposed by his amendment. I think it would be false economy to proceed as far as we have gone in constructing this one aircraft, when we know that any prototype project would require at least three, and then summarily dismiss skilled workmen who have been gathered from all over the United States. The component parts of the plane are made in places as far away as Georgia, and at approximately 200 different plants throughout the country.

In my opinion the weapons system will prove to be the most effective we have ever had, manned or unmanned. If we try to reassemble that highly skilled, specially trained group after the men have been dispersed across the United States, it will cost us another \$1 billion plus to build one airplane. So for the sake of economy, if the Senator is arguing in that direction, I would certainly pause. Having spent as much money as we have spent on the program, this is not the time to go back on it and say, "Let us not finish the job."

Mr. PROXMIRE. In reply to the Senator from Arizona, I say that is exactly the point the Senator from Wisconsin has been laboring. Once we commit

ourselves to an additional \$500 million, having already spent \$1 billion, the argument of the Senator from Arizona is that much stronger.

The position of the Secretary of Defense, as I understand, is that we should take a more careful look at the research that has not been achieved. Let us find out whether we can really do the job. There is serious question on the part of reliable and objective observers that we can ever do a part of the job that is expected of the RS-70. Let us make that determination before we make the big commitment, which may be irretrievable if we go as far as \$1,500 million.

That is exactly the argument of the Senator from Wisconsin. The fact that we spent \$1 billion means that it may or may not be wise now to pull out of the poker game. But whether it is wise or not, it does not mean that we should go ahead because we have committed a certain amount. We should be very careful at every stage of our spending and be willing to turn back manfully if we find that the best evidence we can obtain is that the plane will not be a success.

Mr. GOLDWATER. If I, with my limited knowledge of the subject, felt that we could not develop those systems, I would join the Senator from Wisconsin in his amendment. I would probably join in an effort to scotch the whole program now. But I have never seen a technological question posed to the people of the United States that has not been answered. I remember that the same arguments now propounded were used when the B-47 was brought out. The argument was in respect to a three-man crew—pilot, copilot, and bombardier-navigator. It was said that one man could not be trained to handle bombing and navigation at the same time. I remember that argument. I believe some phases of that question were discussed on the floor of the Senate.

We not only produced bombardier-navigators, but we produced bombardier-navigators who were able to do a better job than two or three men were able to accomplish during World War II. Why? Because some of the technological problems that confronted the builders were overcome.

The Senator has talked about the program as being a sort of guessing maneuver or guessing game. I remind my good friend that we are embarked on a \$40 or \$42 billion project to put a man on the moon. The Senator and I have supported that project. When we speak about technological difficulties to be overcome with the RS-70, we are only talking about a plane that flies mach 3. We can already fly a plane mach 7 with a man in it. We are talking about a plane that would fly 80,000 feet in the air. Some of our present aircraft have flown close to that altitude. We have overcome the technological difficulties involved in respect to them.

I note that the Secretary of Defense said:

We are not sure now that we know how to develop successfully this extremely high data rate, sharp resolution radar system required.

Several nights ago I heard an address by the president of the American Telephone & Telegraph Co. in which he spoke about transmitting 25 million messages through a tube 2½ inches in diameter. We have heard of the development of Mazar, which is essentially a tube of light that can handle messages.

I believe there is no problem that cannot be solved; and methods for dealing with this problem have already been developed.

I seriously question the background of those who provided the Secretary of Defense with certain questions the answers to which are already known in some of our other services.

Mr. PROXMIRE. I thank the Senator from Arizona.

Mr. ALLOTT. Mr. President, will the Senator yield for a comment?

Mr. PROXMIRE. I yield.

Mr. ALLOTT. This has to do with the discussion which the Senator had prior to the time he yielded to the Senator from Arizona. He was commenting upon the absolute opinion of Dr. Brown and the Secretary. I have a great deal of respect for the Secretary. His mind is a human calculating machine. He is an outstanding man. However, I am not aware of anything in his background which indicates that he has any specialized knowledge of aircraft or that he has any specialized knowledge of military logistics. On the question of the RS-70's, I was interested in the very question the Senator has just brought up. At page 1366 of the hearings, General Schriever was testifying with regard to this subject when I came into the room. It was with reference to criticism that has been made that we do not have the complementary scientific know-how to make the RS-70 an effective weapon.

I said:

Senator ALLOTT. This may be slightly repetitious. I was delayed a few minutes.

General Schriever may have been testifying to this when I came in.

Criticism has been leveled at the RS-70 that we do not have the complementary scientific know-how to make this an effective weapon, and that we are still some distance off in the future toward making this an effective weapon.

I would like to have you comment on this because it is the most telling criticism that I have heard of the system.

In reply to my question General Schriever testified as follows. I want to read his answer in full, because it would do an injustice to not so do:

General SCHRIEVER. Yes, sir. There has been question raised in the past with respect to technical feasibility in attaining the radar capability required, the processor capability, which processes the data from the radar, the strike missile, the guidance system associated with the strike missile, and, to a lesser degree, the control and communications system.

We have always contended in the Air Force, based on analysis by our technical people that these things were feasible technically and that a normal development program would achieve the results.

I believe that generally the technical people today feel that all of these subsystems are technically feasible. There may be some

difference of opinion in the minds of certain people as to how soon they can be achieved. Another question, of course, which has arisen is the degree of capability that these systems must have from a performance standpoint in order to provide a useful weapon system.

I think General LeMay pointed out that the trained personnel of the Strategic Air Command could, with today's systems, have a useful weapon system without further technical advance.

We know that we can achieve further technical advance, and I think this is generally agreed to, although there is always a question of judgment as to how soon you can accomplish these.

This will always be the case in development work.

There we have General Schriever, commander of the Air Force Systems Command, putting his reputation on the line with an opinion contrary to that of the Secretary of Defense and Dr. Brown. The significant thing he says is that at the present stage of development of today's systems we could have a useful weapons system, and with what might reasonably come in normal technical development, we could go far beyond these present potentialities.

Mr. PROXMIRE. My reply to the Senator from Colorado is that this statement has been seriously questioned by the Secretary of Defense and by Dr. Brown. I agree with the Senator from Arizona and with the Senator from Colorado that the Air Force people may be more technically competent in their ability, and they give good reasons. Even General Schriever, under the circumstances, had this to say:

There may be some difference of opinion in the minds of certain people as to how soon they can be achieved.

There is no question about that. That is a masterpiece of understatement by General Schriever.

The Secretary of Defense and the head of research for the Defense Department have said it will be 1970, 8 years from now, at best—and they used the words "at best"—before we can expect to have the kind of radar that is necessary to do the reconnaissance work which would be the main mission of the RS-70.

The fact that we would have to wait that long suggests that we could look around for alternatives. There are manned bomber alternatives now. They are less expensive. They might work out and provide a more rapid capability and also just as efficient a capability.

Mr. ALLOTT. First of all, let me say that, without casting any reflection on Dr. Brown or the Secretary of Defense, General Schriever's ability cannot be questioned in this field, particularly when we consider the opinion and position of General LeMay. This being true, the points he makes are very persuasive, particularly when he says that with today's systems and personnel we could have a useful weapons system out of this without further technical advance. This statement leaves very little room for conjecture over the plane and system's potentialities.

Mr. PROXMIRE. May I say at that point, Mr. President, that that statement is seriously questioned. As a matter of fact, Dr. Brown says that unless

we have a far greater degree of perfection with respect to the strike missile—obviously, we cannot use the Skybolt, for example, with the RS-70—that capability is lacking. We must develop a wholly new strike missile, before there is any bombing capability. All that is in the future.

Mr. ALLOTT. The bombing capability is only part of the planned mission for the plane.

Mr. PROXMIRE. It is still RS. That means reconnaissance strike.

Mr. ALLOTT. It is reconnaissance and strike, but I believe its greater potentialities lie in the reconnaissance mission. I cast no reflection on the integrity or the capability of Dr. Brown or the Secretary of Defense, but I do believe that General Schriever and General LeMay and the people associated with them in the Air Force know a great deal more about what they are talking about in this particular field, both in the practical aspects of construction, and in the logistic planning for its use, than either of the other gentlemen.

Mr. PROXMIRE. The surest way to bankrupt the country would be to give the Air Force, the Army, and the Navy everything they want. I am sure the Senator from Colorado would agree with the Senator from Virginia [Mr. ROBERTSON], who earlier said that the armed services had asked for billions of dollars that the Secretary of Defense had to turn down. They should make an argument and a fight for it, to the fullest possible capability. They believe in their mission. However, it is necessary for the Secretary of Defense and the House and the Senate to exercise their own responsibility based upon their own best judgment.

We get direct factual arguments from these people, and when all that the Air Force can say in reply is, "Yes, but the Air Force people know the Air Force better than anyone," it seems to me that that is no reply at all.

Mr. ALLOTT. No; I did not mean that.

Mr. PROXMIRE. On point after point the Secretary of Defense and Dr. Brown contend, and they have persuaded the President of the United States, that this is one area where we should not go ahead until we have further information. That is all they are saying. They are not against the RS-70. They are not against manned bombers. They say, "Let us go ahead when we have this firmed up at least to some extent, because there is no question that this whole system may fail."

Mr. ALLOTT. The Senator will find, if he reads the record, that the reply of General Schriever was really a reply to an answer given by Dr. Robbin to a question of mine at a previous hearing on this same question. I say, as I said before, I do not impugn the ability or integrity of these people. However, when we have people like General Schriever, who is a scientist in his own right, and who is the head of Air Force development in a dozen different allied fields, that is the kind of experience that is persuasive with me. The Senator from Wisconsin obviously has arrived at a dif-

ferent conclusion. I do not know what Dr. Brown's background is. I have tried to find out since this question was brought up.

Mr. PROXMIRE. What could be fairer than to have the Secretary say, "We are going to appoint an Air Force group and a Defense group. If they come in and answer the questions I have raised, and say that we should proceed, and we have the capability to proceed to make the RS-70 operational, okay, we will go ahead?" Meanwhile, the House has made this allowance, primarily for this purpose and also for other purposes. Therefore they can go ahead with the program if they get a favorable response from these two committees. It seems to me that in doing this the administration has been very responsible and very careful to give maximum flexibility while at the same time enabling the Senate to save \$320 million, if these reports are unfavorable, as they well may be, in view of the whole history of the project.

Mr. ROBERTSON. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. ROBERTSON. The Senator from Wisconsin said he had been trying to learn Dr. Brown's background. I think I can assist him. He is a brilliant young man, 36 years old, having a B.A., an M.A., a Ph. D., and a Phi Beta Kappa from Columbia in physics. He has never had any military service or training or any knowledge of the military. He expressed a dim view of the RS-70. He doubted whether it could be perfected as a missile.

So we get in the budget a very small item, \$171 million, with which to proceed, and which the military experts said would set us back at least a year, and that we are now 4 years behind in its development.

When we wanted to find out whether the military officers agreed with Dr. Brown or not, they were told, "You cannot testify."

I examined the witnesses and said, "We are the legislative branch of the Government. We have the responsibility of appropriating money. We have the right to know the unrestricted views of our military experts."

There was a Colonel Jones who came before the committee to explain the RS-70. The Secretary of Defense said, "He is too optimistic. He cannot give you, even in executive session, the testimony he gave the House."

So I replied, "We will not hear Colonel Jones. We do not want any watered-down, censored report."

Then I sent for the Secretary and said, "Let us understand each other. Are you going to prohibit officials of the Air Force from testifying freely and frankly to us?"

He said, "The Secretary may testify, and the Chief of Staff of the Air Force may testify."

I asked, "May anyone else testify?"

He said, "They may testify, but they must say that they are coming at your request, and that they are giving their personal views, and do not speak for me or the Department or the President."



That was the extent to which we had to go to overcome the adverse report of a man who was 36 years old, who knew nothing about the military, but who was expert in physics, and that was all; and he had turned down the project.

Mr. PROXMIRE. I thank the Senator from Virginia.

Mr. GOLDWATER. Mr. President, will the Senator from Wisconsin yield, so that I may add to what the Senator from Virginia has said?

Mr. PROXMIRE. I yield.

Mr. GOLDWATER. I have since found out that Dr. Brown was on the Advisory Council of the Air Force for, I believe, 1 year, during the year 1956-57. I believe that is the extent of his qualifications.

Mr. PROXMIRE. On that particular point, at page 979, where Dr. Brown made a crucial statement, he said:

I think when you add all these times up, you will find that 1970 is the soonest you could have an acceptable radar system in an RS-70 airplane system.

That is physics; it is a matter of judgment in physics. It is not a matter of judgment from having flown an airplane or having served in the Army, the Navy, or the Air Force, which is very important and something to be proud of but which is totally irrelevant. Dr. Brown is a top scientist, and it was a scientific judgment which Dr. Brown gave. The chairman of the subcommittee has properly qualified Dr. Brown as an able scientist.

Mr. GOLDWATER. Let us not forget that the Air Force research and development, the Army research and development, and the Navy research and development, plus the Massachusetts Institute of Technology, have been interested for years in the field of expanding the ability of our radar. Dedicated scientists are working at that task.

The Senator from North Dakota [Mr. Young] asked General LeMay:

There is not much of a problem in having a predetermined target, but you would have a problem with your present equipment flying at this speed and being able to hit the target while you are going over it, wouldn't you?

General LeMay. We feel that we know how now to build a radar with sufficient resolution to pick up some targets that are imprecisely located. We know what the signature of this target is, or what we call the signature. We know what the target is going to look like on the radar scope, and we may know the general area that it is in.

So we can pick out that area that we are interested in, expand it on the scope, and examine it carefully. We are not interested in all of the other area. I think it will not be difficult to do. If we just build an airplane with equipment in it that we know how to do now without taking advantage of any more advances in the state of the art between now and 1967, we will have a tremendous weapon system.

I know the Senator is referring to a portion of the Secretary's press release, in which he said, commenting on the requirements of such a radar system:

A system which, in combination with an operator, could recognize targets from an altitude of 70,000 feet and out to a considerable distance. To appreciate what this involves, consider the fact that to separate

visually two points in an area as large as this radar is supposed to observe would require a screen 15 feet by 15 feet to present a television quality picture.

If we were to examine the entire area that present airborne radar will scan, it would require a screen about 15 by 15 feet or larger. But the crew of a SAC aircraft are not going out on a wild goose chase. They know where they are going. They have been trained for years, night and day, to recognize a signature. There are towns in America which are similar to towns in Russia. Those crews have "bombed" those towns thousands of times. So when they see a signature on the scope, they know they are at their location.

To maneuver over their targets at an altitude of from 70,000 to 80,000 feet visually is not difficult. I had the pleasure of riding in a U-2 aircraft not so long ago. We flew at an altitude I cannot disclose, but I was amazed at the amount of visibility which the human eye can perceive. I have flown at altitudes with high-class fire equipment which had long range firing ability with the use of radar.

I have no question at all that when General LeMay says we can develop these planes, if the money is provided, that we can develop them. We can develop straightforward radar and side-seeking radar. We can develop any kind of radar needed for the purpose, if enough money can be provided.

My complaint with the Secretary of Defense is not that he is slowing down the production of aircraft itself, because he is going ahead with it. We are not arguing that point. I simply believe that he is not proceeding wisely in following the development of the next two; but that is beside the point. He has not allowed the development of the system we are discussing.

I know the Senator from Wisconsin plans to discuss the electronic system and the bombing system.

Mr. PROXMIRE. The Senator from Wisconsin does not plan to detain the Senate at great length. I shall be as brief as possible. However, I wish to emphasize the very serious difficulties that have been developed. In my judgment, the best and most competent people in the Department of Defense, who are objective, who do not have an ax to grind, have not been able to solve the problem. They are not asking that this weapons system be ended; all they ask is that they be permitted to do a little more research before they make a big, heavy commitment.

Mr. GOLDWATER. Perhaps we may be getting at some points of difference among us who believe the B-70 system should proceed. I have all the respect in the world for the academic mind. Probably there is great wisdom in asking for academic help once in a while. However, I believe the Department of Defense is relying too heavily upon the professors and the academic minds.

What is wrong with taking the advice of men like Gen. Curtis LeMay, who has flown bombers on missions? What is wrong with taking the advice of the Chief of Staff of the Navy, of the Army, of the Air Force?

Mr. PROXMIRE. There is nothing wrong with that. We have often done so.

Mr. GOLDWATER. What is taking place in the Pentagon, in my humble estimation, is that too many IBM's are being used. Perhaps I should not say "IBM's." General Electric, which has a plant in my home town, criticized me for saying "IBM," so I will say electronic computers.

Too many questions are being fed into an automated box, which is providing answers with which many of us cannot agree.

I do not doubt that the Senator from Wisconsin is sincere. I know he believes that the Secretary of Defense has made some plausible arguments. I disagree with the Secretary; I do not believe his arguments will hold up. I do not believe they have been made with full, good judgment or by men who have had experience.

This is far more than a field system. It is the greatest breakthrough in aerodynamics since the Wright brothers pedaled their craft down a sandy beach. It could put the United States years ahead of Russia.

I fear the day when some Russian airplane flies in over our seacoast and asks for landing instructions at Idlewild. It will be asked, "Where did you depart from?"

The answer may be, "I left Paris 30 minutes ago; I expect to land in New York in 45 seconds." Then we shall be going through another Sputnik experience.

But today we have, in Palmdale, Calif., a plane which, although it costs a very large amount of money, will enable us to get ahead of the Russians in the one field in which they are now ahead of us—namely, the field of manned aircraft.

Mr. PROXMIRE. But we have already spent a billion dollars on this program. So it has not been starved; and the administration is now asking for an additional \$171 million for it. Furthermore, the Secretary of Defense says that if that is not enough, he will promptly ask for more. What more can he do?

Mr. GOLDWATER. Has the Senator from Wisconsin seen the construction at Palmdale, Calif.?

Mr. PROXMIRE. No, I have not.

Mr. GOLDWATER. Well, although I have had considerable experience with aircraft, I questioned how \$1 billion could be spent on an airplane. So I went out there, a month ago, and looked at it. I wish all Senators could see it; then they would understand why this brand-new concept is so expensive. It is completely different from anything now in the air; it is so new that it has to be made entirely by hand; and it is put together with vacuum welding, which alone cost us hundreds of thousands of dollars to develop—a weld which occurs in a fraction of a second. That was developed in Germany, but now we have it. This aircraft has a honeycomb skin—something never before developed.

It is well known that I am not one noted for being "fast" with the taxpayers' dollars, and it is obvious that normally I would not favor spending additional amounts on such an expensive

aircraft unless it was of the greatest importance. But obviously this aircraft constitutes a vastly important technological development and advancement which, if we do not make, the Russians will make. That is the justification in this case.

Mr. PROXMIRE. Insofar as reaching the moon is concerned, I agree with the Senator from Arizona that we should consider the request; but certainly many problems are involved in connection with any proposal to commit \$20, \$30, or \$40 billion for reaching the moon, especially when the matter of timing is concerned. It is obvious for example that the moon project will require us to use so many of our experts and engineers that many other important projects including military projects and graduate engineering training will be starved.

Therefore, we must make up our minds about the relative importance of these various projects; and, on the basis of our best judgment, after hearing all the arguments by those who have the overall responsibility of the kind the Secretary of Defense has, we must make our decision.

Of course, in a military decision such as this, if we have any doubt, we should vote for the full commitments; and certainly the Senator from South Dakota was correct when he said that if we are in real doubt, we should always go along with spending the additional funds which have been recommended, no matter how large they may be.

Mr. GOLDWATER. Let me say that I followed the views expressed by President Kennedy in the course of his campaign. On one occasion he said:

This year, as the result of the efforts of Senator Engle and others, the Congress of the United States appropriated \$300 million for the B-70's. I endorse wholeheartedly the B-70 manned program.

And in Wichita Falls—and there happens to be an aircraft construction factory located there—he said:

We have been trying for 2 years to get the B-70 in California the \$300 million the Congress appropriated.

I do not always agree with the President, delightful though he is. But I do not believe the B-70 is a myth; and I rely on his statement that he is in favor of it. If he is against it, I have not heard of that.

Mr. PROXMIRE. I agree with the Senator from Arizona that the President is in favor of it, and I am in favor of it, and so is the Senator from Arizona. I do not believe that any member of the administration or the Senate is not in favor of it. The only question is one of timing, the question of when we are prepared to go ahead with this very expensive commitment, which, as a result, would cause other projects to be starved.

There is another project—one far less expensive, which would cost not \$100 million per plane as the RS-70 would but perhaps \$3 or \$4 million a plane—and this might do the job. So the Secretary of Defense should be free to make his final judgment on this matter, rather than have his hands completely tied.

Mr. GOLDWATER. Of course, it is true that time is of great importance in

connection with this matter. I would not be so much concerned if we had 10 or 12 years to spare. But does the Senator from Wisconsin realize that in September of this year the last B-52 bomber will roll off the production line, and that we do not have another bomber coming off the line to take its place; that in 3 years the B-47's will be obsolete for they are already in a state of fatigue; that the B-57 fleet will be seriously reduced in effectiveness, because of attrition; and that the B-58 fleet is not of any great size, and for all practical purposes does not exist.

So we cannot wait. We have already delayed for years the development of the B-70 as a weapons system, and I do not think any Member of this body would feel very happy if 3½ years from now we were attacked by manned aircraft from Russia and if at that time we did not have available a retaliatory manned aircraft force.

Mr. PROXMIRE. The answer has already been given by the Secretary of Defense, in his letter of last August. In it he made very clear that today we have an enormous manned bomber capacity, and he made very clear that a great deal of our retaliatory power is in our B-52's. It is true that the assembly line will stop in September. Nevertheless, this particular eventuality was thoroughly considered in two ways by the Secretary. In his letter of last August he said:

Previous appropriations enable us to plan on a very high bomber inventory through the mid-1960's. In the operational inventory we will have over 700 B-52's and B-58's at the end of fiscal year 1966. Should it be decided later to maintain this level of heavy bomber aircraft beyond fiscal year 1966, the request for appropriations can be made several years from now. There appears to be no need to make such a decision before mid-1963 at the earliest.

In short, he said the production could be restarted and that there is no question in terms of the shutdown of the assembly lines and the availability of labor. I think all agree that the Secretary of Defense is especially competent in these fields. He has written that letter, and the statements he has made in it have stood up and never have been successfully challenged, I think. In short, he said that we are ready to go with manned bombers, and that the B-52 fleet has greatly advanced, and that although subsonic, it is a good aircraft and is very efficient when equipped with Hounddogs or Skybolts.

So we are prepared to rely upon manned bombers; and anyone who says that we are not or that we are turning away completely from manned bombers is not correct.

Mr. GOLDWATER. Mr. President, I should like to argue that point a little. We may not be turning away from manned bombers; but I think the Secretary of Defense and the Senator from Wisconsin both overlook the normal rates of attrition. I do not expect the B-47's to be around in a few years, so we shall forget about them. But if we do not build any more B-52's, when the normal attrition sets in we shall suffer a loss of highly trained crews and the ability to train more.

If the Secretary of Defense thinks he can set up a production line for B-52's any time in 1962 and will be able to produce them from it in 1964, I want to remind him that these planes are not Fords or Ramblers. A B-52 is a handmade airplane, and it is very difficult to find men capable of doing these specialized jobs.

For example, at Palmdale I saw a man working on a panel that was handmade. He was wearing out a diamond saw about every inch or inch and one-half. I asked him how long it would take him to cut off that 4-foot length. He said that if he did not work very hard he could not do it that week.

Such men cannot be found in a UAW hiring hall. They are trained specialists. So when it is suggested that the Secretary of Defense could punch a computer and could show that 1963 equals 1964, all I can say is that I have never seen it done, even in the Ford factories which he has managed so efficiently.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I will yield to the Senator in just a moment. Before I do that, I would like to point out that the B-52 is not the only bomber or the only alternative to the RS-70. As is shown beginning on page 977 of the hearings, the Senator from Missouri [Mr. SYMINGTON] had this to say, and I read from that page:

One thing that worries me about the RS-70 is the fact that even in development, they don't know how it will work. Another point that worries me is the cost. When you get up to paying \$100 million for an airplane, that seems to be large even under present evaluations. Now we have long-range fighters coming up, like this new TFX, where you have a lot of range. You can refuel four simultaneously from one tanker. Because of the tremendous increase in yield-to-weight ratio you can carry fairly substantial megaton loads. These fighters I believe, are around \$2 to \$3 million as against the cost of an RS-70, \$100 million. This thought was first given by the chairman of the Armed Services Committee, Senator RUSSELL. Can't a good part of this job be done by smaller newer airplanes?

Dr. BROWN. I think that there is a possible role for the TFX in strike reconnaissance. Of course, we are not any surer that the TFX can do it than we are that the RS-70 can do it so far as components are concerned.

Senator SYMINGTON. You are talking about the reconnaissance bomber?

Dr. BROWN. That is right.

Senator SYMINGTON. In the minds of the public the 70 is still a bomber. They have not yet gotten accustomed to the fact it is a reconnaissance plane. If you take the premise it is a bomber, there is a great deal that can be done for \$2 or \$3 million, in an airplane far beyond the speed of sound; is that correct?

Dr. BROWN. Yes. As a bomber the TFX would cost perhaps not as little as \$2 million but certainly something less than \$3 or \$3½ million.

Senator SYMINGTON. I did not know what the cost of the TFX was—

And so forth. What this statement underlines and reinforces is the fact that there are several alternatives to the RS-70. The Secretary of Defense has simply requested some research before we make this enormous, and perhaps irretrievable, commitment on the RS-70. It will take



a few weeks or months to see, first whether the benefits can be proved by researchers, and, second, whether the alternatives are acceptable. The Secretary of Defense is saying, "Let's take a look and see if this will work before we go ahead."

Mr. GOLDWATER. The argument for the TFX could be used against Dr. Brown, if he is thinking of it in the place of the RS-70, because of weapons development and the development of the electronic and navigation and bombing systems, and the argument does not stand up. The last I heard of it, the TFX was up for competition between companies, and we do not have one yet.

Mr. PROXMIRE. That is true. We do not even have an RS-70.

Mr. GOLDWATER. The TFX is not off the boards. They do not know what it will look like. The F-100 can carry a rather heavy load. So can the R-102, the F-104, and the F-106. So can the F-110.

Mr. PROXMIRE. The Senator from Wisconsin was talking about reconnaissance.

Mr. GOLDWATER. These aircraft can be equipped for reconnaissance, but they carry only one man, and it is very questionable whether one man could fly a mission to Russia and return for refueling and be capable or alert enough to find the target. I would not want to put reliance on it. I hope we get the TFX, because we have only one fighter plane coming off the line. It will be 1967 before we get an inventory of them. I do not know why the Department of Defense is against the Air Force. I do not know why the Air Force has to carry rifles and wander through the jungles in order to justify its existence. We won the last war with airpower. We are containing the Communists in Vietnam with airpower. Why the Department of Defense cannot see that airpower, in conjunction with pushbutton warfare, is the answer, I cannot understand.

Mr. PROXMIRE. First, let me say, in reply to the Senator from Arizona, that I am not against the Air Force. The Air Force is getting a substantial appropriation.

Mr. GOLDWATER. I wish the Senator would tell that to the Pentagon.

Mr. PROXMIRE. I would not want to see the Air Force crippled or prevented from advancing. It is simply a question of judgment on the part of the Department of Defense to see how we can get the best overall defense effort.

Mr. MILLER. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MILLER. The Senator from Wisconsin said a moment ago that the Secretary of Defense had indicated that the assembly line on B-52's could be started up readily enough and that he did not think this statement had been questioned. The Senator from Arizona has just questioned that statement.

I would like also to invite the Senator's attention to page 189 of the hearings, in which the Chief of the Air Force did question that statement. I read from that page:

Senator DWORSHAK. What about the other bombers, B-52 and B-58?

General LEMAY. For the B-52, as of now, I think we have just plain missed the boat. If we ordered additional B-52's now, there would be a gap of at least a year in the production line. Where the employees would be discharged we would have to pick them up later and start up the line.

It seems to me this is questioning the statement of the Secretary of Defense.

Mr. PROXMIRE. I disagree entirely. I think the Secretary of Defense, of course, expected that there would be a gap in production. He said so. He said that should it be decided later to maintain the heavy bomber production beyond fiscal 1966, it would be possible to restart, and if we started, say, in 1963, by 1965 we would be getting planes off the assembly line.

There is a production gap, but at the same time he said that in 1967 we will have an inventory of 600 or 700 of these aircraft without any restart. On the basis of the B-52's being equipped with better air-to-air and air-to-ground missiles, their retaliatory potential will be tremendously increased.

Mr. MILLER. Is not the Senator from Wisconsin concerned about the production-line gap?

Mr. PROXMIRE. The Senator from Wisconsin recognizes, as I am sure the Senator from Iowa does, that we do not rely on any one aspect of our armed effort. We are moving into the missile age very rapidly. We are building Polaris submarines and missiles. I think it is perfectly proper to move into a new manned bomber development. I think it is desirable. I do not think we should continue to produce the B-52, which is subsonic, and which is 10 years old, if we can get a supersonic plane. But if the Secretary of Defense finds it does not work out, we can go back to the B-52. We can restart. That is a very unlikely event, but we can do it. But 3 years from now we will have a fantastic retaliatory power, as I am going to point out, and as the Secretary of Defense said. So there is some question as to the value of this kind of reconnaissance operation, because our power is going to be absolutely devastating, even if we suffer from a first strike. Right now we have a devastating punch.

So I think it is perfectly proper and appropriate to consider the wisdom of discontinuing the production of an aircraft that is 10 years old and subsonic, even though this is a marvelous bomber and the best we have.

Mr. MILLER. I wish I could get the tenor of the Senator's argument. Is it that the Senator is concerned about the amount in the budget for the development of the aircraft?

Mr. PROXMIRE. My position is that I am supporting the Secretary of Defense and the President of the United States in their request for funds for the B-70, or the RS-70. It is my position that to authorize more, to appropriate more, to force more on them, would, in the first place probably be a futile act and, in the second place, would subject them to very great pressures of all kinds to spend the additional money. I think the argument made by the Secretary of Defense against this additional appropriation will stand up. At the present

time it is standing up. It has not successfully been challenged, in my judgment.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. CANNON. Am I to understand that the Senator from Wisconsin bases a part of his argument on the fact that we might be able to spend less money on bombers that might do the job just as well?

Mr. PROXMIRE. The position of the Senator from Wisconsin is that we might be able to develop other airplanes, if the Secretary of Defense and the other experts in the Department of Defense and in the Air Force should make the decision that there are alternative ways of accomplishing the same mission. One alternative would be to develop other manned aircraft, at far less cost, such as manned fighterbombers—smaller planes but equally as fast as an RS-70. These might be produced more effectively and more efficiently, than a bomber and could do as good a job. That is a possibility.

Mr. CANNON. Does the Senator from Wisconsin have any idea how long it takes to develop and to produce an airplane, starting from scratch?

Mr. PROXMIRE. I know that it takes a long, long time. I invite the attention of the Senator from Nevada to the fact that Dr. Harold Brown, Director of Defense Research and Engineering, and the the Secretary of Defense say that it will probably be 1970—8 years from now—before the radar aspects of the reconnaissance mission of the RS-70 can be perfected. That is the earliest date. That is 8 years away.

In the meantime, it is perfectly possible we might be able to develop an alternative plane, in somewhat less time. I agree with the Senator that it would take several years, a number of years, to develop an alternative plane. The TFX and other planes are being considered to some extent, although I think the Senator from Arizona is correct in saying that basically they supplement the RS-70.

Mr. CANNON. With respect to the TFX, does the Senator from Wisconsin realize that the contractor has not been selected for the design phases of the TFX at the present time?

Mr. PROXMIRE. That is my understanding.

Mr. CANNON. The present problem with respect to that plane is the selection of the contractor even to design the TFX, let alone to complete the design and to talk about production. We are talking about something which is 10 years away.

Mr. PROXMIRE. And we are at least 8 years away, at the soonest, from the RS-70. Yet we have spent a billion dollars, and we are being asked to spend another half billion dollars on the RS-70.

Mr. CANNON. The Senator says that we are 8 years away from developing the RS-70. Does the Senator realize that the first model of the RS-70 will be out on the runway this fall?

Mr. PROXMIRE. I understand that there is a prototype being constructed

now, and that there will be a prototype built next year, and then another prototype after that. The request for the additional half billion dollars, I understand, is to produce six prototypes rather than the three prototypes planned under the budget request.

Mr. CANNON. Is it not part of the purpose to develop concurrently the systems which are needed, rather than to wait 8 or 10 years, as the Senator has pointed out, for the radar to catch up?

Mr. PROXMIRE. No. The Senator from Wisconsin should never be interpreted as saying that we should wait for any length of time to develop anything. I said that the Secretary of Defense said \$171 million, which is a whale of a lot of money, is all the Department thinks it can spend in the next fiscal year in regard to developing the B-70. Most of this money will be for prototypes, but part of this money will be used for radar, and part for other purposes.

As the Senator from Nevada, who is a far greater expert than the Senator from Wisconsin will ever be in this field, well knows, when a prototype is built, as will be done for the RS-70, it is built for the purpose of developing all aspects of the aircraft and for testing it.

Mr. CANNON. Will the Senator yield to me so that I may read a paragraph from the committee report?

Mr. PROXMIRE. I am happy to yield for that purpose.

Mr. CANNON. I read as follows:

The budget request of \$171 million is to continue a program for the development of the XB-70 aircraft which does not have as its stated objective at this time the development of a fully operational weapons system to replace the B-52's and B-58's. The program of \$223,900,000 provided in the House bill would expedite the development of an advanced reconnaissance system required in the RS-70 system, but it is not adequate for the initiation of development effort on other military subsystems or for the commitment of additional test aircraft.

Those are the words in the committee report. I wonder if the Senator feels that we should wait to test these individual prototypes over a period of 3 years before we initiate the development effort on the other military subsystems which are required, as stated in the committee report.

Mr. PROXMIRE. The House report makes it clear, on page 8, in the last sentence—and the provision is still in the bill—what can be done for the RS-70 program. It is stated:

The committee has also provided funds and transfer authority in the Emergency Fund appropriation to the extent of \$300 million, which could be utilized at least in large part for this program, should the determination be made to do so.

It is very important that Senators understand this problem, especially the Senators who are taking the same position as the Senator from Nevada. My amendment is to be contrasted with the amendment for which I would substitute mine—the amendment of the Senator from Illinois. My amendment would enable the Secretary of Defense to spend an additional \$300 million plus the \$171 million, if he finds reason to do so. That is the issue we face.

If the Department of Defense makes the breakthroughs which they hope to make, though they are not yet sure they can make them in their research, then it will be possible to proceed. Then the Department can go ahead with the program.

Mr. CANNON. Mr. President, if the Senator will yield further, it seems to me that a failure to authorize and to appropriate funds as requested will materially delay the development of this program. It is only by strong language from the Congress that the Secretary of Defense will be guided to take the necessary steps to be sure that we do have a follow-on aircraft for the B-52 and the B-58 aircraft, which, as the Senator from Arizona so well pointed out, will be in the obsolescent stage in the not too distant future, and, not too long thereafter, will become absolutely obsolete.

Mr. PROXMIRE. I am sure that the Senator from Nevada has the greatest respect for the distinguished chairman of the House Committee on Armed Services, Mr. VINSON. It is well known that a very spectacular flight was conducted earlier this year on this issue by Mr. VINSON. Mr. VINSON and the House decided not to go to \$491 million for the RS-70. They decided in favor of this emergency provision, which seems to me to make sense, and they went a little higher, providing \$50 million more. In view of their deep concern and very deep interest in this measure, it seems to me that the amendment of the Senator from Wisconsin, if it is agreed to as a substitute for the amendment of the Senator from Illinois, would be a very moderate approach, which would enable the Air Force to move ahead and to move ahead promptly.

Mr. President, as I was saying, the Secretary of Defense stated:

We are not sure now that we know how to develop successfully the extremely high data rate, sharp resolution radar system required. Our best estimates now are that we could not have such a system early enough to produce an operational RS-70 force capable of useful reconnaissance strike before 1970.

The RS-70, without these subsystems, would be nothing more than a B-70, the production of which it is now agreed would not be warranted.

Mr. CANNON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I will yield to the Senator in a minute.

The Secretary also said:

Until we know much more about the proposed system—its technical feasibility, its military effectiveness, and its cost—we have no rational basis for committing this aircraft to weapon-system development or production.

But regardless of whether or not the RS-70 will be ready for production or can be produced substantially as the Air Force describes it, the question still remains: would the program be worth its cost? This question can be answered only in terms of—

And this is something we overlook in all the argument—

the total job to be done and the various alternative ways of doing it in relation to their respective costs.

That is the position of the Secretary of Defense. He would like to have a lit-

tle more time for research before he decides whether to go ahead with the weapons system which is not proved. There are all kinds of possibilities that it may never prove itself. The Secretary wishes to be able to go ahead with research first. He has convinced the President of the United States that this is proper. He has convinced all of the heads of all of the services, except the Secretary of the Air Force, that he is correct. It seems to me that this is a modest and appropriate position to take.

Now I yield to the Senator from Nevada.

Mr. CANNON. I am sure that the Senator from Wisconsin would not wish to leave the RECORD with an incorrect impression. The Senator from Wisconsin stated that Mr. VINSON, the chairman of the House Committee on Armed Services, backed down on his proposal. That is not correct.

Mr. PROXMIRE. No; I did not say that.

Mr. CANNON. The Senator said that the chairman of the House Committee on Armed Services [Mr. VINSON] made a change in regard to the authorization, to the extent of the \$300 million emergency provision, if I recall correctly.

However, part of the House authorization bill reads as follows:

For aircraft: For the Army, \$218,500,000; for the Navy and the Marine Corps, \$2,134,600,000; for the Air Force, \$3,626,000,000, of which amount \$491,000,000 is authorized only for the production planning and long leadtime procurement of an RS-70 weapon system.

That is language from the House bill as it was passed and signed by the President. I think perhaps the Senator referred to the bill considered by the Committee on Appropriations.

Mr. PROXMIRE. I was referring to the bill before the Senate, H.R. 11289.

Mr. CANNON. That is not the bill which came from Mr. VINSON's committee.

Mr. PROXMIRE. The Senator is talking about the authorization bill.

Mr. CANNON. That is correct.

Mr. PROXMIRE. The Senator is correct. The authorization bill was the same in the Senate. The Senator from Wisconsin had no objection to that. I think that the Appropriations Committees should be in a position to act on the basis of maximum flexibility and to decide to go higher if they wish to do so.

I am sure that Mr. VINSON would have been able to prevail in the House, considering his great prestige in the House, if he had felt at all strongly that the provision which was in the House bill was inadequate.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from Illinois.

Mr. DOUGLAS. I wonder if the Senator will look again at the language on page 33, lines 19 and 20, of the bill which he is seeking to amend.

Mr. PROXMIRE. It is the understanding of the Senator from Wisconsin with respect to the pending amendment that the language that would be amended appears on page 36, line 23, and page 37, line 2.



Mr. DOUGLAS. Then it is not amendment 6-16-62—B, but another amendment that the Senator has before the Senate?

Mr. PROXMIRE. That is correct. The pending amendment is an amendment that I offered on the 12th. The first amendment was defective; I am not calling that amendment up.

Mr. DOUGLAS. The pending amendment is designated "6-12-62—A."

Mr. PROXMIRE. The Senator is correct.

Mr. DOUGLAS. Am I correct in inferring that there would be no mandate upon the Secretary of Defense to spend the money for the RS-70? The language is "to remain available until expended." I wonder if that language would not give to the Secretary of Defense the right to refuse to spend the money if in his judgment it were inadvisable to do so.

Mr. PROXMIRE. It would, indeed. The language on page 37 of the bill provides—

*Provided, That of the funds available in this appropriation account \$157,000,000 shall be available only for the Dyna-Soar program and—*

The amount would be amended to \$171 million—

shall be available only for the RS-70 program.

Under those circumstances the amendment of the Senator from Wisconsin would not tie the hands of the Secretary of Defense. If he wished to spend more he could do so. But \$171 million would be available only for the RS-70 program. If he wanted to spend \$500 million, he could do so. Under the amendment of the Senator from Illinois [Mr. DIRKSEN], he could not. He could spend only \$171 million and not one penny more.

Mr. DOUGLAS. The question I wish to raise is whether the present language in the bill would require the Secretary of Defense to spend those sums, or would merely make it possible for him to do so.

Mr. PROXMIRE. It is the understanding of the Senator from Wisconsin that the Secretary of Defense would not be required or directed to spend the funds. He would use his own discretion. It is further the understanding of the Senator from Wisconsin that the Secretary of Defense probably would not spend the money unless there were a new development, which we do not anticipate.

Mr. DOUGLAS. I was thinking of the terms of the bill as reported by the Committee on Appropriations.

Mr. PROXMIRE. That is correct. It is also correct as applied to the amendment by the Senator from Wisconsin.

Mr. DOUGLAS. I personally do not regard myself as competent to pass on the subject as to whether the RS-70 should be developed or not, or how much money should be devoted to the project. I have great faith in Secretary of Defense McNamara. I think he is probably the most competent Secretary of Defense we have had in a long time. I have great respect for his integrity and patriotism.

I recognize that the present language would put some moral pressure upon him

to spend the money, but he has a stiff backbone.

Would it not be possible for the Secretary to refuse to spend the money if, upon an investigation, he still believed that it would be not in the public interest to do so?

Mr. PROXMIRE. Oh, yes. We have a clear precedent in what happened with respect to the \$520 million which was authorized and appropriated for bomber procurement last year. The bill was signed into law.

Mr. DOUGLAS. On the other hand, if we do not give to the Secretary the power of spending additional sums if he finds out it would be advisable to do so—

Mr. PROXMIRE. The Senator well knows that the amendment would not cut him down at all. It would provide every penny for which he asks. In fact, it would give him more. The bill provides a \$300 million emergency fund, most of which would be available for the program if the Secretary wanted to undertake it. Furthermore, if the Secretary found that he would like to proceed, he could request a supplemental appropriation. It is clear that what the Secretary of Defense and the President of the United States want is an appropriation of \$171 million, and not \$491 million, for that purpose. The position of the Secretary and the President is crystal clear.

Mr. DOUGLAS. Suppose the Senate should agree to the amendment of the Senator from Wisconsin, which would make available \$320 million less for the RS-70 than is provided in the committee bill. Is the Senator saying that the Secretary could go ahead and spend that money anyway?

Mr. PROXMIRE. I am saying that the Secretary could then go ahead and spend the \$171 million. In addition, he could spend from the fund created in the bill, and referred to by the House in the following language:

The committee has also provided funds and transfer authority in the emergency fund appropriation to the extent of \$300 million, which could be utilized at least in large part for this program, should the determination be made to do so.

Mr. RUSSELL. Will the Senator state the reference?

Mr. PROXMIRE. That quotation appears on page 8 of the House committee report.

Mr. SALTONSTALL. Mr. President, will the Senator yield for a clarification?

Mr. PROXMIRE. I am delighted to yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I refer the Senator from Illinois to page 68 of the committee report. I say most respectfully to the Senator from Wisconsin that an emergency fund of \$150 million is provided; and the other \$150 million, to make up the \$300 million about which the Senator from Wisconsin is talking must be transferred from some other appropriation. In other words, the Secretary could spend only \$150 million in addition to the \$171 million. The other \$150 million would have to come from a transfer of funds allotted for other purposes.

Mr. PROXMIRE. The point is important, but can be well answered. It is true that the funds would have to be transferred from elsewhere. The appropriation is made for the entire fiscal year. The Senate will perhaps not be in session from early September to January. If the Secretary of Defense and the President should change their minds and decide to spend the money, all they would have to do would be to ask for a supplemental appropriation any time after the 1st of January. In the meantime, plenty of money would be available in the appropriation to spend for the project.

I agree wholeheartedly with the Senator from Massachusetts that if the funds available should run out, the Department would probably ask for supplemental funds later in the fiscal year.

Mr. DOUGLAS. I invite the attention of the Senator from Wisconsin to page 38 of the bill, which provides that a fund of \$150 million may be transferred.

Mr. PROXMIRE. The Senator is correct.

Mr. DOUGLAS. In addition, on page 38, line 15, the following provision appears: "and, in addition, not to exceed \$150,000,000, to be used upon determination by the Secretary of Defense that such funds can be wisely, profitably, and practically used in the interest of national defense."

Mr. PROXMIRE. I think that is the proper reference.

Mr. DOUGLAS. So that is where the Senator obtained the total of \$150 million.

Mr. PROXMIRE. A total of \$300 million altogether. That is the understanding of the Senator from Wisconsin.

Mr. DOUGLAS. I am somewhat puzzled as to what all the shooting is about.

Mr. PROXMIRE. I think the Senator from Illinois has raised a good point. The purpose of the amendment of the Senator from Wisconsin was to keep the authorization for this enormously expensive program in line with the request of the Secretary of Defense. If we take the position that we should always authorize and appropriate every nickel everyone asks, I think the program would be a wasteful one. It would put great pressure on the Secretary of Defense. There was considerable pressure on him to spend \$520 million last year. While he has a strong backbone, I think the course proposed would be an inefficient and wasteful way for the Senate to proceed. It seems to me that under the circumstances, when the Secretary convinces us that he is right—and he has convinced this Senator—we should provide the funds he wants, and no more.

Mr. DOUGLAS. In other words, the purpose of the amendment of the Senator from Wisconsin is to diminish the psychological pressure upon the Secretary of Defense. Is that correct?

Mr. PROXMIRE. That is correct.

Mr. DOUGLAS. It is a very serious thing to assume responsibility for reducing funds available for the program when there is no legal obligation upon the Secretary to spend the moneys which we make available.

Mr. PROXMIRE. Even more serious is what has already been done by the committee; namely, to sharply reduce some of the funds made available to the Secretary of Defense below what he requested. For example, I refer to the appropriation for military personnel. It seems to me the Senate as a whole has every right, if it wishes to do so and is responsible in doing so, to reduce the available funds to the level which the Secretary requested; and that is what the Senator from Wisconsin is attempting to do. I am not reducing the Secretary's funds below what he asked.

Mr. DOUGLAS. I agree we have that right. However, the Senator from Illinois would have to know more about it to feel wise enough to exercise that right. Modern war has grown so complicated and defense has grown so complicated that it is very hard for a layman to pass judgment on these things. If this were to be mandatory upon the Secretary of Defense, I might be tempted to agree with the Senator from Wisconsin, because I have a great deal of confidence in Secretary McNamara. Since it is not mandatory, what the Senator is saying, in effect, is that this appropriation might be the straw that will break a strong man's back.

Mr. PROXMIRE. Well, that is correct. I believe that the Senate should never appropriate more money than has been justified, and should rarely exceed the requests of the administration unless the justification is strong. In this case, I believe the position taken by the Secretary of Defense is exceedingly strong.

Mr. ROBERTSON. Mr. President, I know that the Senator is eager to yield the floor. He has fully developed the subject. I know he does not want to leave any false impression with the comment he made on military personnel. I am sure the Senator had in mind the elimination of the housing for military personnel, which had not been authorized, and therefore the appropriation had to be cut out.

Mr. PROXMIRE. The Senator from Wisconsin would be more accurate if he were to say that this was classified under military personnel in the committee report, which refers, as he says, to housing.

Mr. ROBERTSON. We did not have any authority for it.

Mr. PROXMIRE. Mr. President, I will now proceed as rapidly as I can. I will proceed only briefly, because I have no desire to detain the Senate any longer, since I have spoken longer than I had planned to speak. Mr. President, we should realize the impact that the plans we are now developing can have on a possible adversary.

As the Secretary of Defense pointed out:

The 1963 and prior year budgets provide for over 1,000 Atlas, Titan, and Minuteman intercontinental ballistic missiles, plus 41 submarines with over 650 Polaris missiles, plus more than 700 B-52 and B-58 bombers. By 1967 the alert portion of the force alone will have three times the destruction capability of the alert force we had last June.

The Secretary went on to state:

#### DESTRUCTION CAPABILITY

Now, how large a part of the enemy target system could this force be expected to destroy after absorbing an enemy surprise attack? As I pointed out in my statements to the Congress in January, this calculation involves a number of factors of which the following are the most important:

1. The number of warheads that each type of vehicle can deliver.
2. The proportion of each weapon system expected to survive the initial all-out nuclear attack—the survival rate.
3. The degree of reliability of each system, i.e., the proportion of the ready operational inventory that we can count on getting off successfully within the prescribed time—the reliability rate.
4. The ability of each type of vehicle to penetrate the enemy's defenses—the penetration rate.
5. The warhead yield and degree of accuracy that can be expected of each weapon system.

Then the Secretary went on to say:

Utilizing these factors and applying to them values which, on the whole, are thought to be quite conservative, we calculate that the strategic retaliatory forces programmed through 1967 could achieve practically complete destruction of the enemy target system—even after absorbing an initial nuclear attack. The addition of a force of either 200 B-70's, which was proposed last year by the Air Force, or the 150 RS-70's now being considered, either of which would cost about \$10 billion, would not appreciably change this result.

In other words, the Secretary of Defense is saying that the addition of this enormous expenditure would not increase the perfectly fantastic capability for nuclear devastation which we now have.

The Secretary is not frozen to the concept of all-out nuclear war. He has said:

While calculations of this sort are useful for estimating the adequacy of our programmed forces under extreme conditions, it should be pointed out that these forces may not necessarily be used in this manner. Indeed, we are implementing command and control processes at all levels of authority to insure that our response can be graded by degree, by geographical and political area and by target type as would be appropriate to the type and extent of an enemy attack.

It is the alternatives which we should consider. It seems to me that by adopting my amendment we give the Secretary of Defense the opportunity to select the alternatives which would be more economical and more effective and which would give us a strong armed force.

The Secretary went on to say:

With regard to the wartime reconnaissance capabilities of the RS-70, we have other means of performing that function and with any adequate high-processing-rate radar system which may be developed, the B-52's and B-58's could have a considerable reconnaissance and bomb damage assessment capability incident to their principal mission. We think that the B-52's and B-58's, arriving after our missiles have suppressed the enemy's air defense, could penetrate as well or almost as well, as the RS-70.

A decision by the Soviet Union to produce and deploy an anti-ICBM system could not

significantly change this overall picture, and in any event would be no less effective against the RS-70 and its missiles. To insure that our missiles can reach their targets even then, we have included a substantial sum in the 1962 budget for a "penetration aid program." We also have the option of increasing the Minuteman program for which extra production capacity has already been provided.

It is clear, therefore, that the RS-70 program, as we see it now, would not add significantly to our strategic retaliatory capability in the period after 1967.

Obviously that will not be until 1970.

Interestingly enough, at the very time the Air Force is urging the production of another aircraft system on the grounds that nuclear-armed missiles are not dependable, one theater command is requesting the producing of a new nuclear-armed missile to replace his aircraft which he says are too vulnerable in a nuclear war environment. And, while the Air Force, in pressing its case for a new bomber, has questioned the dependability of nuclear-armed missiles, it is at the same time urging an aircraft (the RS-70) which itself depends for its strike capability on highly sophisticated nuclear-armed missiles.

While I am fully convinced that it is entirely premature to make any kind of commitment to weapon-system development or production of the RS-70 in fiscal year 1963, I am not prepared to preclude such a commitment at a later date. By continuing our XB-70 program of three prototype aircraft at the cost of \$1,300 million and by proceeding with the exploratory development of the key subsystems of the proposed RS-70 for which funds have been included in the 1963 budget, we will have open to us the option of producing and deploying an RS-70 system at a later time if the need for such a system should become apparent. Since the key subsystems have yet to be developed, delaying the decision for 1 year would not postpone the real operational readiness of the first wing at all.

I have just recently reviewed this entire problem with the Joint Chiefs of Staff and again, except for the Chief of Staff of the Air Force, they all support the B-70 development program recommended by President Kennedy.

I wish to conclude by reviewing the testimony of Dr. Harold Brown, who said:

As presented in the President's budget the plan provides for the development of three aircraft prototypes with the objective of preserving the option of developing a manned bomber system while exploring the parameter of mach 3 flight.

In other words, the budget contemplates an option, to keep it alive, and make it possible to exhaust other alternatives—

The Office of the Secretary of Defense takes the position that while development of a reconnaissance-strike capability for manned strategic aircraft may be desirable the present state of the art is not adequate to support a system development at this time. We further believe that there are three main areas of technical development that must be pursued before a firm programing decision can be made leading to the production of an RS-70 system.

1. A radar system including sensors, processors, and usable display techniques.

The testimony is that it will be 1970 at the earliest when such a radar system will be available.



2. A strike missile compatible with the radar equipment.

It should be remembered that the present strike missiles that we have available, such as the Skybolt and Hound Dog, will not work on the RS-70, which is a supersonic mach 3 plane. That plane cannot carry external missiles, and the internal missile for it has not yet been developed. Therefore, the strike part is in the future, and we do not know whether we can develop effective parts for this weaponry.

3. Reliable communications to originate and rely strike reports to CONUS.

The aspect of the reconnaissance strike mission which inhibits any possible desire to proceed concurrently even if the RS-70 is justified is the fact that the performance levels required of the equipment must meet an absolute and very high standard in order to be useful at all. Their status is that they are in too early a stage of development for confident prediction of success.

Assuming that they can be developed at some time, one must then evaluate what the RS-70 might be able to do as compared with competing ways of doing the same thing.

Dr. Brown went on to develop alternatives, which I believe have been brought out quite thoroughly in the course of the debate this afternoon. However, I should like to underline the fact that the cost of the RS-70 will be \$5 billion for 45 planes; \$10 billion if 150 planes are built. This is a perfectly enormous cost of \$100 million for each plane, compared with the cost of \$10 million of the present B-52 manned bombers, and compared with the expected \$2 million, \$3 million, or \$4 million cost of the TFX strike reconnaissance plane, which can be developed very possibly as an alternative, but which admittedly has not yet been designed.

Once again I wish to reiterate a point, by placing in the RECORD at this point a letter dated August 1, 1961, from the Secretary of Defense, in which he states that if it is found desirable to produce more of the present manned bombers—the B-52's, which have served us so well, and which can use the devastating air-to-ground missiles—we can restart the assembly line at any time, efficiently, and the cost will be very moderate.

Mr. President, I ask unanimous consent that the letter be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF DEFENSE,  
Washington, August 1, 1961.

HON. WILLIAM PROXMIRE,  
U.S. Senate.

DEAR SENATOR PROXMIRE: In reply to your letter of July 28, I repeat my previously stated opinion that it is not necessary for the Congress to appropriate funds in fiscal year 1962 above administration requests for B-52 and B-58 bombers. Inherent in this is my belief that the production of B-52's and B-58's is already adequately "protected" for the period of time involved in our further study of the bomber concept.

Previous appropriations enable us to plan on a very high bomber inventory through the mid-1960's. In the operational inventory we will have over 700 B-52's and B-58's at the end of fiscal year 1966. Should it be decided later to maintain this level of heavy

bomber aircraft beyond fiscal year 1966, the request for appropriations can be made several years from now. There appears to be no need to make such a decision before mid-1963 at the earliest. The risk involved in delaying the decision is not one to the security of the Nation, but solely a financial risk fully justified by the remoteness of the possibility of having to exercise the option and pay the "restart cost" penalty.

Should an eventuality develop requiring us to reinstitute the B-52 production lines, we can, for example, do so in mid-1963 and produce for delivery during the period 1965-67. A recent survey shows that in mid-1963 the personnel strength at the Boeing-Wichita airframe fabrication and assembly plant will not have been reduced below 9,400. With respect to the B-52's Pratt & Whitney engine, the TF-33-7 turbofan engine for the new C-141, and the JT3D-2-4 turbofans which are being retrofitted into jet airliners have the same parts configuration as the B-52 engine. In fact, all are fabricated in one general machine shop and are mingled in the assembly line. There is no change in facilities anticipated at Pratt & Whitney during this period and the tools will not be deactivated.

Should a decision be made in mid-1963 to commence production of B-52H aircraft, Boeing's present production leadtime of 15 months would be extended an additional 12.5 months. Aircraft deliveries would start in October 1965. Although current engine and bomb-navigation system delivery leadtimes would also slip, they would still fit well within the airframe fabrication and assembly leadtime of 27.5 months. The total "restart costs" would amount to approximately \$245 million.

For the reasons outlined above, it is my conclusion that it is not necessary to make appropriations in fiscal year 1962 for the continued production of heavy bombers.

I hope that this information is responsive to your inquiry.

Sincerely,

ROBERT S. McNAMARA.

JULY 28, 1961.

The Honorable ROBERT McNAMARA,  
Secretary, Department of Defense,  
Washington, D.C.

DEAR MR. SECRETARY: The President's request for additional defense appropriations emphasizes the importance of achieving maximum effective military strength for each dollar spent. Pertinent to this is the proposed appropriation of \$525 million above administration requests for B-52 and B-58 bombers.

It is my understanding that you recommended that these funds not be provided for manned bombers this year, pending further study of the bomber concept and its place in our overall defenses.

Testimony at the House Appropriations hearings indicated that production of these planes will continue until August and October 1962, with no further action by Congress. At the same hearings it was stated that \$100 million for each of these bombers would protect production beyond those dates, pending a future decision on their role.

I would like to know the present position of the administration in this subject. Do you recommend that \$525 million be appropriated for manned bombers at this time? Do you believe that production of B-52's and B-58's needs to be protected now pending your Department's reappraisal?

Since these appropriations are expected to be before the Senate very soon, I would appreciate an immediate reply.

Sincerely,

WILLIAM PROXMIRE,  
U.S. Senator.

Mr. PROXMIRE. Mr. President, before I yield the floor, I wish once again to invite the attention of the Senate to the fact that regardless of how Senators may feel finally toward the amendment of the Senator from Wisconsin, any Senator who supports the position of the committee should, it seems to me, vote for the substitute amendment of the Senator from Wisconsin, because the substitute amendment of the Senator from Wisconsin makes it possible for the Secretary of Defense to spend not merely \$171 million, but as much money from the reserve funds as he wishes to spend; whereas the amendment of the Senator from Illinois [Mr. DIRKSEN], for whose amendment the amendment of the Senator from Wisconsin is a substitute, limits the amount which could be spent to \$171 million. The amount is not to exceed \$171 million. This distinction is very important.

Therefore, I hope that on the impending vote there will be a strong "yea" vote. If not, I think there will be a mistake made on the part of many Senators who vote, because if I understand the tenor of the Senate, whether Senators will support the position of the Senator from Wisconsin and the President of the United States and the Secretary of Defense, or will support the committee—either way—the amendment of the Senator from Wisconsin should be substituted for the amendment of the Senator from Illinois.

Mr. DOUGLAS. Mr. President, will the Senator from Wisconsin yield for a question?

Mr. PROXMIRE. I yield.

Mr. DOUGLAS. Is the Senator from Wisconsin saying that if his amendment is substituted for the amendment of my colleague from Illinois [Mr. DIRKSEN], the Senate would then have a chance to vote again on his amendment?

Mr. PROXMIRE. By all means; I think that is absolutely correct.

Mr. DOUGLAS. Would it be possible for a Senator to vote in the affirmative, preferring the amendment of my colleague, and then to vote against the amendment of the Senator from Wisconsin?

Mr. PROXMIRE. Yes. I hope Senators would not follow the second alternative, but I can imagine that many Senators would do that. I suppose that Senators who feel they wish to give the Secretary of Defense as much flexibility as possible, those who feel that a breakthrough might be developed during this period, would definitely adopt this policy.

Mr. President, I yield the floor.

Mr. KUCHEL. Mr. President, before the Senate is the Defense Department appropriation bill for 1963. Recommended to the Senate by the Senate Committee on Appropriations is an expenditure of nearly \$48½ billion. For 10 years in the Senate, I have voted to approve every penny for America's defense which the President has requested and which our appropriations committee has approved. I shall do so again today.

I have the honor to be a member of the Senate Appropriations Committee.

I listened to much of the testimony which was adduced at its many hearings. I have read most of the balance of it. I have listened to the discussion taking place by my colleagues on the committee during the workup of the bill.

As the committee has made its report to the Senate, I find myself in enthusiastic approval. I do not speak as a military expert. I speak as a lay Senator. I speak as a veteran and as an American citizen who is interested in having the Government of the United States maintain what that great and gallant Dwight D. Eisenhower called a proper posture of defense.

Pending at the desk is the amendment of the distinguished Senator from Wisconsin [Mr. PROXMIRE], which would delete those moneys added by the committee to continue to expand what is now referred to as the RS-70 weapons system. In my view, this amendment is regrettable in the extreme. The Senate ought to repudiate it.

I want to refer to a few paragraphs which the Chief of Staff of the U.S. Air Force, Gen. Curtis LeMay, said to the committee when he testified before it:

By the end of this year—

That is, this calendar year—

we hope to start tests of a prototype B-70 which could well be the start of a new generation of flight performance in long-range aircraft.

The B-70's indicated performance should affirm my conviction that the essential mission of manned military aircraft depends upon our continuous advancement of their combat capabilities.

Here, then, is the genesis of a deterrent and defensive system which could, in the next few months, demonstrate its irresistible need to our Military Establishment.

Last fall, in the State from which I come, I saw these incredible, stupendous, unimaginable, manmade eagles being constructed. I stood in awe as I saw, bit by bit and piece by piece, engineers fit together what will be one of the first of three prototypes of this amazing aircraft, capable of flying three times the speed of sound, capable of flying over vast areas of land and sea, many miles above the surface of the earth, ready, if called upon, to perform a whole series of important tasks in the defense of our country.

I believe in our constitutional system of government. I believe it is the responsibility of the executive branch to determine what weapons and what weapons systems are to be obtained for American defense. There is no question about that. But Congress, too, has constitutional responsibilities in the field of defense, and one of them is to make available moneys to the executive branch to utilize for our Military Establishment in this nuclear era.

What the Senate Committee on Appropriations has done has been to present in this bill, to the President of the United States, to the Secretary of Defense, and to the Joint Chiefs of Staff, a clear and continuing opportunity to make what would be a crucially important decision. It was said during the time in which the amendment to in-

crease the budget was under consideration, and about to be adopted:

The \$491 million would be used to redirect the present XB-70 program to the reconnaissance/strike concept, to initiate development effort on essential military subsystems for which no funds have been made available to date, and to provide for additional test aircraft so that flight-test of the integrated weapon system can proceed in an orderly manner. The majority of the add-on funds would be devoted to the design, engineering, and fabrication of such subsystems as the strike missile, environmental control, engines, autopilot, and in-flight refueling, none of which is possible under the \$171 million program. Since all of these systems are essential, any program which is aimed at flight-test evaluation of the reconnaissance/strike concept ultimately must provide appropriate funding therefor. Similarly, such a program must provide for additional test aircraft since it is not practical to fulfill the flight-test requirements with only the three aircraft currently authorized.

Mr. President, assume that a B-70 soars into the air by Christmas time this year. That is what is predicted. That, no doubt, will be the fact. Assume that the impact of its flight, and of its capability, is so enormous on those who have, and should have, the responsibility to determine what weapons systems this country needs that a decision is made then, and on that date, to go full speed forward with this new weapons system. If we adopt the amendment of the Senator from Wisconsin, that decision could not be made.

Mr. PROXMIRE. Mr. President, will the Senator yield at that point?

Mr. KUCHEL. I do not yield now. I will in a few moments.

If we assume to the contrary, that the Secretary of Defense at that time or subsequently would determine that it would not be in the interest of American defense to continue, what harm would be done? None at all would be done. The appropriation would simply lapse.

Mr. President, the amendment of the Senator from Wisconsin ought to be repudiated wholesale, so that the Congress of the United States may present to the executive branch the capacity to make the type of decision we wish ever to have made in the interest of American defense.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield to my friend from Kansas.

Mr. CARLSON. Mr. President, I wish to concur in the statement made by the distinguished Senator from California. It seems to me the issue is a very simple one. The question is, Do we believe that we can by 1970 be completely dependent on a long-range missile for deterrence to war and for operational use in any conflict which may occur, both in what we call the poorly defined stage of limited war or all-out war, or should we have a combination of aircraft and missiles?

If affirmative action is not taken by the Congress at this session, and if there is no implementation of the B-70-RS-70 program, we shall be completely dependent upon missiles by 1970.

I shall support the recommendation of the committee and shall vote for the

\$491 million the committee recommended for this program.

I have been privileged during all the years of my service in Congress to watch the development of bomber aircraft. I am sure the Senator from California has done the same. We have watched the development of the B-17, the B-29, the B-36, the B-47, the B-52, and the B-58. In my opinion, it is essential that we have a program of continuing improvement and expansion of our modern manned aircraft in order to have a combination of missiles and manned aircraft.

The advent of the ICBM does not preclude the necessity for continued development of and use of advanced manned weapons systems.

Second, manned weapons systems, such as the B-70, could strongly complement our other strategic weapons systems.

Third, unless the operational supersonic bomber is developed now there will be no replacement for the B-52 at the time it enters a period of obsolescence.

I think it is essential that we take the action recommended by the committee today. I hope there will be no doubt as to the action taken by the Congress.

I appreciate the statement made by the able Senator from California, and I concur in it.

Mr. KUCHEL. I thank my friend from Kansas. He makes a clear, effective and logical argument against the amendment now pending.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield to the distinguished Senator from Georgia, chairman of the Senate Committee on Armed Services.

Mr. RUSSELL. I wish to associate myself completely with the argument made by the distinguished assistant minority leader in opposition to the amendment. If there has been any one area in which this Nation has had complete preeminence, among all the new weapons systems that have developed out of this revolution in weapons systems, it has been in respect to manned aircraft. Now it is suggested that we deliberately plan to surrender the great prestige which goes with leading the world in manned aircraft, particularly with respect to long-range and considerable carrying capacity.

We spent billions of dollars on matters of prestige, such as in the foreign aid program. We rush to countries, for fear the Russians will get there first, to give them money before the Russians do. We seek the prestige of arriving first to give away money.

If we agree to the proposal which has been made, there will be Ilyushin bombers, which are good jet planes, on the airports of the world for the people of other nations to see. Some of those people are not as sophisticated as the planners in the Pentagon. They will look at this great Russian plane and they will say, "The Americans have nothing on earth comparable to that plane." If we abandon the plane known as the RS-70, they will be telling the truth. We will have nothing comparable to that Russian plane.



For my part, I am not ready, for a number of reasons, to rest the future destiny of the American people and the security of this Nation on missiles and missiles alone. In the first place, it is almost incomprehensible to me that so long as there is anything like near equality in strength any nation would launch an atomic war. If that is not done, the missiles will have kept us from an atomic holocaust, but they will be worth nothing in war.

The reconnaissance plane, however, would serve a very useful purpose. It can go and return, bearing tidings as to what took place with respect to conventional weapons. It can do that at an altitude and at a speed which renders it practically immune from any of the ground-to-air weapons of which we have any knowledge at the present time.

A missile is a one-shot weapon. A person shoots it, and if it works all right it will go where it is supposed to, but how often do we read in the newspapers that it has been necessary to destroy a missile because it began pursuing an erratic course as soon as it was launched? That is not true with respect to an airplane, which can go and can return.

My only regret in this matter is that I fear the Department will not spend the money. We appropriated the money last year, and they did not spend it. I regret very much that they did not spend it.

I told the distinguished Secretary of Defense, for whom I have great and unbounded admiration, that no man has yet been born of woman who cannot make some error of judgment. I think an error has been made in regard to the decision not to prosecute development of this manned bomber.

I greatly fear that this is somewhat of a sham battle we are making for the appropriation. The chances are the money will not be spent.

Under the Constitution of the United States, as a Senator of the United States I have a responsibility. The Constitution says that the Congress shall provide for the common defense. The Constitution says that the Congress shall raise and maintain armies, navies, and the means of defense.

I could never feel that I had measured up to the obligation placed upon me by the Constitution of the United States if I voted to abandon manned aircraft in the bomber field at this stage of our history.

I apprehend that if there are wars in the future—and there will be, I fear, fringe wars and peripheral wars—they, too, will be fought with conventional weapons. The vast arsenal of missiles, intercontinental missiles with nuclear warheads, will be sitting in 10-story concrete and steel silos, while men will be fighting and planes will be flying. We shall be seeking information of what the enemy has, as we have sought it in past wars. In that case the RS-70 will be an invaluable weapon.

My only regret is that we have fallen so far behind. As I stated a moment ago, I could not feel I had discharged my responsibility if I voted, under my constitutional obligation to help maintain the national defense, to say that

"the United States after this date shall not develop a new weapon in the one field in which we have stood preeminent from the beginning."

We need not talk about any waste. The best money we have spent has been spent for weapons never used, because they have kept the peace.

Let us consider the B-36, for example. We spent about \$2 billion on the B-36. We built hundreds of them. They never dropped a bomb in anger. No shot in anger was ever fired at them. Now they have all been junked. But over a period of 10 or 12 years, when Russia had an overwhelming ground superiority, those B-36's kept the peace.

It is as foolish to say that that was a waste of money as it is to say that because a man's house did not burn down, when he had a fire insurance policy, he wasted the money he paid to the insurance company.

I think the Senate should vote down the amendment. The Senate should support the appropriation. Every opportunity we have, we should tell the Secretary of Defense that we hope he will go ahead with the development of this plane, to permit the United States to maintain its preeminence in the field of manned aircraft.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. KUCHEL. I shall yield in a moment.

Mr. President, the argument made by one of our senior colleagues, the distinguished senior Senator from Georgia [Mr. RUSSELL], who is chairman of the Senate Committee on Armed Services and also a member of the Appropriations Committee, is a powerful and moving one. I completely agree with him. I think his argument demonstrates full well why the amendment should be rejected.

I yield to the Senator from Wisconsin.

Mr. PROXMIRE. I ask the Senator from California why, if the amendment of the Senator from Wisconsin is agreed to, it would be impossible next December or January for the Secretary of Defense, if the prototype proves successful, to spend more money. I ask the Senator from California to look at the provisions of the amendment of the Senator from Illinois [Mr. DIRKSEN], which would be replaced by the amendment of the Senator from Wisconsin. The fact is that the amendment of the Senator from Illinois would indeed restrict the Secretary of Defense in spending more than \$171 million. The language that the Senator has proposed is "not to exceed \$171 million."

The language of the amendment of the Senator from Wisconsin deliberately and carefully omits that restriction and provides that \$171 million shall be available only for the RS-70 program. It also provides that the Secretary of Defense will be enabled to spend any additional amount out of the appropriation that he wishes to spend for the RS-70 program.

On page 38, lines 14, 15, and 16, of the bill an additional \$150 million would be made available in an emergency fund.

Also \$150 million would be made available through a transfer of funds from other projects to the Secretary of Defense.

Therefore the position of the Senator from Wisconsin is that the amendment is designed to meet exactly the kind of situation that may develop next December or January. The prototype might prove out. Then the Secretary of Defense could spend whatever he wished to spend. He could come to the Congress in plenty of time and ask for a supplemental appropriation. I am sure that I would approve it, and I think it would be approved unanimously under those circumstances. Therefore it seems to me the appropriate action for the Senate at this point would be to amend the amendment of the Senator from Illinois, and then if Senators still feel that the committee position should be supported, the Senate can reject the amendment.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. PROXMIRE. The Senator from California has the floor.

Mr. KUCHEL. I shall yield in a moment. Let me reply to the Senator from Wisconsin.

Mr. President, the reason I oppose the amendment of the Senator from Wisconsin is that it seeks to strike from the bill the figure \$491 million, which the Senate Committee on Appropriations in its wisdom wrote into the bill, and substitute the amount of \$171 million. That effectively kills the option which the committee believes ought to be constantly available to the executive branch.

I yield to the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, my amendment does not kill the option. That is wrong. My amendment is a substitute for the harsher language that the amendment of the Senator from Illinois provides, which is "not to exceed \$171 million." The Senator from Illinois' amendment does kill the option. The position of the Senator from Wisconsin is that \$171 million at least must be available for the RS-70 program, and if the Secretary of Defense wishes to spend additional funds from his emergency fund, he may do so.

Mr. KUCHEL. Mr. President, I will have the honor to vote "no" on any amendment offered to reduce the defense moneys which the bill presently appropriates to the Defense Department. I yield to the Senator from Illinois.

Mr. DOUGLAS. Mr. President, merely for the sake of proper identification, I wish to make clear that the amendment which the Senator from Wisconsin proposes to modify is the amendment of the junior Senator from Illinois [Mr. DIRKSEN], and not the senior Senator from Illinois.

Mr. ROBERTSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERTSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Wisconsin [Mr. PROXMIER]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.  
Mr. MANSFIELD. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from Indiana [Mr. HARTKE], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Michigan [Mr. McNAMARA] are absent on official business.

I also announce that the Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

I further announce that the Senator from Alaska [Mr. GRUENING], the Senator from Wyoming [Mr. HICKEY], and the Senator from South Carolina [Mr. JOHNSTON] are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Indiana [Mr. HARTKE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Michigan [Mr. McNAMARA], and the Senator from South Carolina [Mr. JOHNSTON] would vote "nay."

On this vote, the Senator from Alaska [Mr. GRUENING] is paired with the Senator from Louisiana [Mr. ELLENDER]. If present and voting, the Senator from Alaska would vote "nay," and the Senator from Louisiana would vote "yea."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN] and the Senator from Utah [Mr. BENNETT] are absent on official business.

The Senator from Maryland [Mr. BUTLER] and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senator from Utah [Mr. BENNETT] and the Senator from Texas [Mr. TOWER] would each vote "nay."

The result was announced—yeas 13, nays 74, as follows:

[No. 90 Leg.]

YEAS—13

Bartlett	Holland	Smathers
Burdick	Javits	Smith, Mass.
Carroll	Lausche	Young, Ohio
Clark	Pell	
Fulbright	Proxmire	

NAYS—74

Allott	Gore	Moss
Anderson	Hart	Mundt
Beall	Hayden	Murphy
Bible	Hickenlooper	Muskie
Boggs	Hill	Neuberger
Bush	Hruska	Pastore
Byrd, Va.	Jackson	Pearson
Byrd, W. Va.	Jordan	Prouty
Cannon	Keating	Randolph
Capehart	Kefauver	Robertson
Carlson	Kerr	Russell
Case, N.J.	Kuchel	Saltonstall
Case, S. Dak.	Long, Mo.	Scott
Church	Long, Hawaii	Smith, Maine
Cooper	Long, La.	Sparkman
Cotton	Magnuson	Stennis
Curtis	Mansfield	Symington
Dirksen	McCarthy	Talmadge
Dodd	McClellan	Thurmond
Douglas	McGee	Wiley
Dworschak	Metcalf	Williams, N.J.
Engle	Miller	Williams, Del.
Ervin	Monroney	Yarborough
Fong	Morse	Young, N. Dak.
Goldwater	Morton	

NOT VOTING—13

Aiken	Ellender	Johnston
Bennett	Gruening	McNamara
Butler	Hartke	Tower
Chavez	Hickey	
Eastland	Humphrey	

So Mr. PROXMIER's amendment was rejected.

Mr. ROBERTSON. Mr. President, if Senators will remain in the Chamber, the bill can be disposed of, in my opinion, in a relatively brief period. There are two other amendments, but I do not think they will be discussed extensively. Neither do I believe a yea-and-nay vote will be required on either of them.

But a yea-and-nay vote is very important on the passage of the bill. There was a yea-and-nay vote in the House, and not a Member voted against the bill. We need to let the nations of the world know where we stand in our determination to defend our freedom.

Mr. SALTONSTALL. Mr. President, I move that the Senate reconsider the vote by which the Proxmire amendment was rejected.

Mr. ROBERTSON. I move to lay that motion on the table.

Mr. GOLDWATER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois [Mr. DIRKSEN].

Mr. MILLER. Mr. President, I voted against the amendment in the nature of a substitute offered by the Senator from Wisconsin [Mr. PROXMIER], and I must also oppose the main amendment. Both amendments would reduce to \$171 million the appropriation of \$491 million for the RS-70 program.

It seems that under the doctrine of the separation of powers, the executive branch can ignore the desires of the legislative branch and refuse to spend the money appropriated for a specific program. This was done last year in the case of money appropriated for procurement of additional B-52 bombers. To use the words of the Chief of the Air Staff, "we missed the boat" on this, because if the money had been spent and additional B-52's ordered last year, there would not be a 1-year gap in the production line. The feeling now seems to be that it is better to use the money thus appropriated for something else. The \$514 million was impounded and is being carried over for use in 1963 without being earmarked.

But regardless of the separation of powers doctrine, it seems to me that Congress, as an independent branch of the Federal Government, has a duty to go ahead and reach its own decision on what is or is not wise with respect to the RS-70 program. This is particularly the case when the leader of our military air forces, in his considered and experienced judgment, has the courage to speak his convictions, which happen to be different from the official views of the Department of Defense. The Appropriations Committee of the Senate has done this. I believe the whole Senate should also do it. To adopt these amendments would place the judgment of the U.S. Senate ahead of the experienced judgment of the Chief of the Air Force and the agreement therewith of the Appropriations Committee.

Were something else involved besides strategic airpower, I might feel less strongly about the matter. However, the primary deterrent of Soviet military aggression has been and will continue to be strategic airpower. Unless we maintain the proper superiority in this area of military forces, our activities in the conventional area will be of no avail.

Let me make it clear that the Chief of the Air Staff and others who support a stepped up RS-70 program do not advocate a higher national defense appropriation. But we do believe that the tremendous sums included in this budget should be realigned to make room for the stepped-up RS-70 program. We should put first things first, and the first thing is our strategic airpower. That is why the Chief of the Air Staff has testified that he is concerned over the direction our military budgets are taking, dropping from 18 percent of the budget to 8 percent.

It will not be responsive to suggest that unmanned missiles will obviate the need for a weapon such as the RS-70. We do not know all of the strategic military targets in the Soviet Union, nor would we have any way of knowing that the targets on which our missiles are zeroed in were destroyed in event of a strategic nuclear war. This is where the RS-70 would be needed.

If it is suggested that the Soviets will build a defense capability against the RS-70, I can assure the Members of the Senate that our military planners have estimated that the cost to the Soviets of developing such a defense would be much greater than the cost of an RS-70 program and would channel money and materials which the Soviets might otherwise use for other weapons systems into that defense system. On balance, assuming they were able to develop a defense, we would be ahead. It is this type of frustration to which they would be subjected that we must strive for in the hope that the day will come when they will desist from their efforts to offset our deterrent capability and will resort to nonmilitary means in advancing their imperialism.

Mr. President, I ask unanimous consent that the portion of the printed hearings set forth on pages 179, 185, 186, 188, 189, and 190, which I have marked, presenting the views of the Chief of the Air Staff on this subject be printed in the RECORD.

There being no objection, the excerpts from the hearings were ordered to be printed in the RECORD, as follows:

TESTS ANTICIPATED ON PROTOTYPE B-70

By the end of this year, we hope to start tests of a prototype B-70 which could well be the start of a new generation of flight performance in long-range aircraft.

The B-70's indicated performance should affirm my conviction that the essential mission of manned military aircraft depends upon our continuous advancement of their combat capabilities.

The bombers, missiles, and men of the Strategic Air Command are the central fact that must be considered by an enemy before any aggressive act. We are continuing a 15-minute alert posture for about half the bomber force. And, of course, almost all the operational missiles are on alert. Our bomber forces are training to participate



in continuous airborne alert whenever that may be ordered.

Strategic offensive forces and continental defense forces have a complementary role in providing a deterrent posture or in providing for survival of the Nation should general war occur.

#### OPINION ON BUDGET

Senator ROBERTSON. Are you satisfied with the defense budget which has been presented to us?

General LEMAY. The amount of the budget; yes, sir. I do not think any reasonable man could quarrel with the size of the budget. However, I do have some reservations, particularly in the strategic portion of the budget. I do feel that we must go on with the manned systems development—the RS-70 and the full weapons system.

I do not think we ought to make a decision now to go into production, but I do think we have to do the things to give us the option of going into production if it is necessary.

It is my personal belief that it will be necessary, that we must do it. Also, I am not satisfied with the number of Minuteman missiles being procured in the budget. I have told the Secretary of Defense of my reservations on this, of course, and the decision has gone against me.

I will proceed now to produce the best Air Force I can with the administration's program.

Senator ROBERTSON. Let us see if we understand each other.

Do I understand you to say that you would be satisfied with a total of \$18,900 million if some of the items were rearranged, or would you add some items?

General LEMAY. I think we could rearrange some of the items to pick up this money. When you get an increase in the overall Department of Defense budget of the size contemplated this year, I do not think any reasonable man will say we should have more, and I do not say we should have more. I think we could reprogram and rearrange to get the strategic power that I think we must have. I think we are all right now. It is the trend that I see starting in this present budget which I am worried about.

Senator ROBERTSON. The theory of the Defense Department in refusing to go ahead with the B-70 is that before it could be operational, we will have a missile program that will carry all of the destructive and defensive power that is needed.

I understand that you feel that we should go ahead with the B-70.

#### SUPPORT OF B-70 PROGRAM

General LEMAY. I do. I believe we need both.

Senator ROBERTSON. In that event, should we put additional money in this bill for the B-70, and if not, from what item would you take the money to put it on the B-70?

General LEMAY. I think that your strategic forces must come first. Now, I agree with the administration's policy of trying to build up a little more conventional power that could take care of limited wars in a little better manner than we might have been able to do in the past.

However, I point out that you cannot fight a limited war except under the umbrella of strategic superiority. For example, we would not have dared to go into Lebanon when we went in there without strategic superiority which kept the enemy air force off. So, I believe that your strategic power comes first.

I do not believe that we are going to have enough to have that superiority in the future.

I worry about the trend as established by this year's budget. That is my reservation on the strategic power.

Senator ROBERTSON. You believe it would be prudent to continue with the manned bombers especially in the field of the B-70?

General LEMAY. I think that would be one of the things we have to do. I think, also, we have to increase the number of missiles.

Senator ROBERTSON. Increase the number of missiles?

General LEMAY. Yes, sir.

#### RESERVATION REGARDING PROGRAM

General LEMAY. As I said before, my reservation in the 1963 budget is mainly in the strategic field.

The bulk of the increases have been in what we call limited war capability with conventional arms.

I maintain you cannot fight in this area without a strategic umbrella protecting you to avoid a general war. You cannot do anything in that field unless you have strategic superiority.

Senator DWORSHAK. You are consistent in that viewpoint.

General LEMAY. I worry about its going downhill because the trend is already established. The program now calls for dropping from about 18 percent of the Defense budget down to about 8 percent of the Defense budget for the strategic areas.

We have been able to maintain our superiority over the past years with about 18 to 20 percent of the Defense budget. This is being dropped down. The program now calls for a drop down to about 8 percent about 4 years from now.

I do not think you can maintain superiority in this field with that sort of program.

This is where I express my reservation.

Senator DWORSHAK. Is that not partially because we are transferring our main activity to the missiles rather than manned bombers?

General LEMAY. Nothing is free. Missiles are expensive, too. It is just the amount of money you are going to spend on the systems.

Senator DWORSHAK. The point I would like you to discuss is whether you feel that greater reliance on missiles is not a defensible position at a time when you insist that the Strategic Air Force is our basic arm of defense.

General LEMAY. I think we need both and I do not believe you can buy sufficient quantities of both with 8 percent of the national defense budget.

Senator DWORSHAK. For strategic forces?

General LEMAY. For strategic forces.

Senator DWORSHAK. Did you take that same position in the recommendations which were made through the Defense budget to the Budget Bureau?

General LEMAY. I did to the Secretary of Defense and to the President.

#### ACCELERATION OF B-70 PROGRAM

Senator DWORSHAK. It is pretty difficult for this subcommittee to know what should be done. I can recall that within the past few years we have taken an aggressive position on the development of the B-70 at a time when higher authorities were trying to discourage that program and actually impounded funds which had been made available; is that true?

General LEMAY. That is true.

Senator DWORSHAK. You still believe that we should accelerate that B-70, for instance, as a vital part of our strategic forces?

General LEMAY. I do, very much so.

Senator DWORSHAK. You do not feel that we are making the progress we should with B-70?

General LEMAY. We should be accelerating that program.

Senator DWORSHAK. What about the other bombers, B-52 and B-58?

General LEMAY. For the B-52, as of now, I think we have just plain missed the boat. If we ordered additional B-52's now, there would be a gap of at least a year in the pro-

duction line. Where the employees would be discharged we would have to pick them up later and start up the line.

What we would get for the money appropriated now which was considered sufficient at one time for a wing of B-52's would not be worth it. I would rather spend money for something else.

Senator DWORSHAK. Did not this subcommittee recommend an increased amount for bombers, either B-52's or B-58's, a year ago?

General LEMAY. It did.

#### USE OF B-52 AND B-58 FUNDS

Senator DWORSHAK. Was that money used?

General LEMAY. It was not used. If we had used it at that time a year ago, then I think we would have gotten full value for our money, but it is just too late now.

Senator DWORSHAK. What was done with that money?

General LEMAY. It was not used.

Senator DWORSHAK. Was it transferred for other purposes?

General LEMAY. No, sir. As it was written in the appropriation bill, it was forbidden to be used for anything except long-range bombers.

Senator DWORSHAK. So we have actually frozen funds that could have been utilized for either 52's or 58's?

General LEMAY. Yes, sir.

Senator DWORSHAK. There has been no increased procurement of B-58's, either.

General LEMAY. No, sir.

Senator DWORSHAK. Is that on the basis that the money could be used more effectively for missiles although it is not being used for any purpose now?

General LEMAY. The Secretary of Defense made a decision that we had adequate airplanes.

Senator DWORSHAK. And he disregarded the additional appropriations made available by the Congress for manned bombers?

General LEMAY. That is correct.

Senator DWORSHAK. And you, as the former head of the Strategic Air Forces, have contended that, as you point out, with only 8 percent of our budget utilized for that program, you feel that it is entirely inadequate under the circumstances which prevail throughout the world today?

General LEMAY. The trend, as I see it established now, goes downhill to about 8 percent—about 4 years from now.

Senator DWORSHAK. Is the proposal being made to use the impounded \$514.5 million which was made available a year ago for other purposes in the budget for next year?

General LEMAY. I am sorry, I did not understand that.

Senator DWORSHAK. I say that \$514.5 million appropriated last year for manned bombers has been impounded.

General LEMAY. That is correct.

Mr. MILLER. Mr. President, the views of the Chief of the Air Staff are not premised on anything else except a patriotic desire to keep the United States secure from Soviet aggression and to thereby preserve the peace. He has no other ax to grind—no monetary consideration whatsoever. Indeed, if there were any monetary considerations which overrode his dedication to the service of our country, he could long since have resigned and gone into private industry to make his fortune. Articles such as the one appearing last March in the Washington Post by Marquis Childs, entitled "Invisible Lobby Behind the RS-70" are interesting reading, but they miss the point that regardless of the benefits to be derived in contracts and employment occasioned by a stepped-up RS-70 program, the merits of the program are what count. I ask unanimous consent

that the article be printed in the *RECORD* at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MILLER. Mr. President, if it be argued that defeat of these amendments will mean an increased cost of national defense over the budget request, there are at least two answers. First, this need not necessarily result if cuts are made elsewhere to make room for the stepped-up RS-70 program. Second, I suggest that the Senate should have had this in mind the other day when it decided to spend \$750 million, not contained in the budget, for public works. Which are we to have? An adequate strategic air power to preserve our deterrent capability? Or a public works program which did not even have the priority warranting its inclusion in the budget? I believe the answer is obvious.

I predict that history will record that our present Chief of the Air Staff shares a position of foresight and dedication comparable to that of other great military leaders of our country, such as Gen. Billy Mitchell, Admiral Halsey, General Pershing, and General MacArthur. I believe that the action of the Appropriations Committee represents a vote of confidence in him, and I hope the Senate itself will extend that vote of confidence by rejecting this amendment.

#### EXHIBIT 1

#### INVISIBLE LOBBY BEHIND THE RS-70 (By Marquis Childs)

Ever since General Eisenhower uttered his warning, on the eve of leaving the presidency, about the threat of the domination of what he called the military-industrial complex, the power of that complex has become more apparent.

Nothing quite like the pressures applied on the administration to back down in its opposition to what would eventually be a \$10 billion program for the RS-70, formerly the B-70 bomber, had been seen in this capital for a long time. The agreement by the administration to give careful study to the recommendations of the House Armed Services Committee means a truce but it is not the end of the war.

On one side of the struggle is the Air Force, big industry representing payrolls in a number of States and a great many Members of Senate and House who represent those States. On the other side is Secretary of Defense Robert S. McNamara, backed by the President.

That lineup is, however, an oversimplification. This controversy bears some resemblance to the fight between the battleship admirals and the submariners in the Navy. Advocates of a missile strategy in the Air Force are said to have doubts about the course of their chief, Gen. Curtis LeMay, who is all out against the other Joint Chiefs of Staff and against Secretary of the Air Force Eugene M. Zuckert in behalf of the manned bomber.

On the administration side, the President has been reminded by Senator BARRY GOLDWATER, one of the most impassioned advocates of the program, that as Senator Kennedy he had favored the B-70 and had criticized his predecessor for opposing its development. The burden of responsibility puts an entirely different look on the whole problem of defense. The President has frequently called attention to the nearly \$10 billion added to the defense budget in missiles, hardened sites, the bomber alert and in conventional forces.

As for McNamara, he has never had the slightest doubt about his view that to produce the B-70—or the Reconnaissance Strike 70, as it has become known—would be a political surrender to the demand for jobs and industry contracts. Last May, as he had begun to get a grip on the awesome assignment he had taken on, he said to a close associate:

"I'll stake everything on stopping the B-70. If there is one thing I know it is research and development."

Already \$1.3 billion has been committed for development of three prototypes of the reconnaissance-strike plane and nearly a billion has been spent or is about to be spent. The RS-70 is supposed to carry equipment that, while the plane is flying at 2,000 miles an hour, can send back photographic data indicating targets for a second and followup nuclear strike. It would also carry Skybolts, which could be fired on targets from a distance of several hundred miles. McNamara doubts that the plane as presently conceived could possibly carry the contemplated equipment still on the drawing boards.

The Air Force has pushed a campaign backing the conviction not only that the RS-70 is feasible but that it is essential to the Nation's defense. Clearance officers in the Pentagon were astonished to get a paper prepared by the Air Force for a Republican Congressman attacking McNamara's position. Clearance was denied.

Coordinated with the military pressure was the operation of the industrial lobby representing the subcontractors in at least 20 States that would have a piece of the RS-70 project. One Pentagon office was reported to be working exclusively on making sure that Members of Congress from these States would know about the payrolls to be generated by a \$10 billion RS-70 program.

The industrial side of the military-industrial complex might be called the invisible lobby, since the agents of the relatively small number of giant corporations getting most defense contracts do not have to register under the Lobby Act. One of the few searching efforts to show how it operates and its effects on Government spending was in a series of articles last year by James McCartney of the Chicago Daily News. Government negotiators are far too often outmanned, outskilled, and outraded when they sit down with the agents of big industry to negotiate contracts adding up to \$50 billion a year.

McNamara once cited the pay of a negotiator for his former employer, the Ford Motor Co., of \$80,000 a year, sitting opposite a Defense Department procurement officer getting \$10,000 a year. This same imbalance runs from top to bottom.

Mr. ROBERTSON. Mr. President, I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. DIRKSEN. Mr. President, now that many Senators are in the Chamber, I shall take about 5 minutes to summarize the amendment which is now before the Senate.

Yesterday I offered a motion to recommit the Department of the Interior Appropriation bill. At that time it was charged that either I was using a meat ax approach or was trying to rubber-stamp the House of Representatives. I

was trying to do neither. I was speaking from a deep conviction. I remind Senators that since 1932, of 31 budgets, 25 have come here in a deficit position. If anyone doubts for a moment that our fiscal situation is not an easy one, he had better take a second guess, because the Nation is in a serious state of affairs. It is difficult to contemplate the gold problem, with gold moving out of the United States at the rate of \$3 million a day right now, and to match what is in the gold stockpile against the legal reserve demand against demand deposits and the Federal Reserve notes, without taking account of the fact that we are in a very uneasy predicament; and no one knows it any better than the distinguished senior Senator from Virginia [Mr. BYRD], who is contending with the problem almost every day.

I find myself in pretty good company. I have the President of the United States on my side. I have the Secretary of Defense on my side. I have a former President and great general on my side. I have the Bureau of the Budget on my side, because the Bureau of the Budget did not ask for the amount that is in the bill.

The bill provides \$491 million for this purpose. I tried to put a ceiling of \$171 million on it, so as to save \$320 million. One hundred seventy-one million dollars is all that the Bureau of the Budget asked for. Senators will find that in the hearings. That is all the President wanted. That is all Mr. McNamara wanted. He sent a letter to the chairman of the subcommittee under date of October 27, 1961, when we provided him with \$514 million, and he would not spend it. Now we are entreating the Department all over again with the extra money, saying, "We are going to give it to you. Please spend it." But the Department has not asked for it.

The difference between the original amendment and the Proxmire amendment is that this amendment sets a ceiling of \$171 million on expenditures. The Proxmire amendment merely set a floor. Shall we force this money on the Department? I shall not.

I think the time has come to take a step in the direction of economy in our Military Establishment as well as in our other appropriations.

I add only one further comment. Does any Senator believe that the Budget Director is not interested in this subject? Does any Senator believe that the distinguished Secretary of Defense, Mr. McNamara, is not interested? If they needed and wanted this money, they would have asked for it.

We can see that some of the testimony on this point by Dr. Brown and other witnesses is pretty fuzzy. I read the pertinent part of the hearings. The head of the Air Force, General LeMay, came before the committee and said that the amount asked for in the budget is as much as any reasonable person could ask for. He said that perhaps the funds could be rearranged and reprogrammed to do whatever development work needed to be done. So there was no point in going above the budget figure.

That is the whole story. Do Senators want to provide the Department with



\$320 million which the Department has not requested? If so, then vote against the amendment. Do Senators want to provide \$320 million that neither the Bureau of the Budget nor the President nor the Secretary of Defense has asked for? If so, then give them the money and vote against the amendment.

But I am not yet in that frame of mind where I shall force money on the President, the Bureau of the Budget, and the Department of Defense, when there will be coming to the Senate shortly—and it is under consideration on the floor of the House this afternoon—a proposal to kick the debt ceiling to \$306 billion, the highest in the history of the country.

I do not think the situation needs any further embellishment. I am ready to vote. I yield the floor.

Mr. ROBERTSON. Mr. President, the distinguished minority leader stated that President Eisenhower was on his side.

Mr. DIRKSEN. He still is.

Mr. ROBERTSON. Very well. He recommended \$358 million for this program.

The Senator from Illinois says that President Kennedy is on his side, although the President has reduced the request to \$220 million.

The Senator's amendment is more restrictive than the one on which 13 Senators just failed.

Mr. DIRKSEN. Yes, it is; I agree.

Mr. ROBERTSON. The Senator has had the yeas and nays ordered on his amendment. I hope he will not get even 13 votes; nevertheless, he is entitled to the yeas and nays.

The PRESIDING OFFICER (Mr. BURDICK in the chair). The question is on agreeing to the amendment of the Senator from Illinois.

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Louisiana [Mr. ELLENDER], the Senator from Indiana [Mr. HARTKE], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Michigan [Mr. McNAMARA] are absent on official business.

I also announce that the Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

I further announce that the Senator from Alaska [Mr. GRUENING], the Senator from Wyoming [Mr. HICKEY], and the Senator from South Carolina [Mr. JOHNSTON] are necessarily absent.

On this vote, the Senator from Alaska [Mr. GRUENING] is paired with the Senator from Louisiana [Mr. ELLENDER]. If present and voting, the Senator from Alaska would vote "nay," and the Senator from Louisiana would vote "yea."

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Indiana [Mr. HARTKE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Michigan [Mr. McNAMARA], and the Senator from South Carolina [Mr. JOHNSTON] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN] and

the Senator from Utah [Mr. BENNETT] are absent on official business.

The Senator from Maryland [Mr. BUTLER] and the Senator from Texas [Mr. TOWER] are necessarily absent.

On this vote, the Senator from Utah [Mr. BENNETT] is paired with the Senator from Texas [Mr. TOWER]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Texas would vote "nay."

The result was announced—yeas 15, nays 72, as follows:

[No. 91 Leg.]

YEAS—15

Anderson  
Bush  
Capehart  
Carroll  
Clark

Dirksen  
Fulbright  
Hickenlooper  
Holland  
Javits

Lausche  
Proxmire  
Smith, Mass.  
Wiley  
Williams, Del.

NAYS—72

Allott  
Bartlett  
Beall  
Bible  
Boggs  
Burdick  
Byrd, Va.  
Byrd, W. Va.  
Cannon  
Carlson  
Case, N.J.  
Case, S. Dak.  
Church  
Cooper  
Cotton  
Curtis  
Dodd  
Douglas  
Dworschak  
Engle  
Ervin  
Fong  
Goldwater  
Gore

Hart  
Hayden  
Hill  
Hruska  
Jackson  
Jordan  
Keating  
Kefauver  
Kerr  
Kuchel  
Long, Mo.  
Long, Hawaii  
Long, La.  
Magnuson  
Mansfield  
McCarthy  
McClellan  
McGee  
Metcalf  
Miller  
Monroney  
Morse  
Morton  
Moss

Mundt  
Murphy  
Muskie  
Neuberger  
Pastore  
Pearson  
Pell  
Prouty  
Randolph  
Robertson  
Russell  
Saltanstill  
Scott  
Smathers  
Smith, Maine  
Sparkman  
Stennis  
Symington  
Talmadge  
Thurmond  
Williams, N.J.  
Yarborough  
Young, N. Dak.  
Young, Ohio

NOT VOTING—13

Aiken  
Bennett  
Butler  
Chavez  
Eastland

Ellender  
Gruening  
Hartke  
Hickey  
Humphrey

Johnston  
McNamara  
Tower

So Mr. DIRKSEN's amendment was rejected.

Mr. ROBERTSON. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. JACKSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PROXMIRE. Mr. President, I call up my amendments numbered "6-11-62-C," and I ask unanimous consent that the reading of the amendments be dispensed with. I can explain the amendments very briefly.

The PRESIDING OFFICER. Without objection, the reading of the amendments is dispensed with.

The amendments offered by Mr. PROXMIRE are as follows:

On page 32, line 1, strike out "\$2,929,200,000" and insert in lieu thereof "\$2,649,200,000".

On page 32, line 5, strike out the period and insert in lieu thereof a colon and the following: "Provided, That none of these funds may be used for the construction of an aircraft carrier."

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MANSFIELD. I wish to propound a unanimous-consent request that there be allotted 20 minutes on the amendment, 10 minutes to the side, before the vote is taken.

The PRESIDING OFFICER. Is there objection? Without objection, the order is entered.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the time taken for this discussion be exclusive of the time limitation agreed to.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DIRKSEN. I wish to ask the majority leader whether he contemplates completing action on the Defense appropriation bill tonight.

Mr. MANSFIELD. In response to the question raised by my distinguished colleague, it appears that it may be possible to finish action on the bill tonight. If so, it is the intention to call up Calendar No. 1487, H.R. 8031, the all-channel TV bill, and that will be the pending business for tomorrow.

After that it is considered possible that the Senate will take up Calendar No. 1501, S. 2970, the Small Business Administration bill; Calendar No. 1536, S. 3161, making permanent the Export Control Act; Calendar No. 1526, S. 3062, permitting hay harvesting on conservation reserve acreage; Calendar No. 1544, H.R. 11040, to provide for the establishment, ownership, operation, and regulation of a commercial communications satellite system, and for other purposes, which bill may take some time.

Somewhere in between the consideration of those bills, the Senate will take up Calendar No. 1438, H.R. 10162, an act to amend the Bretton Woods Agreements Act, relative to the International Monetary Fund; Calendar No. 1332, Senate Joint Resolution 137, relating to the State of Alaska, with an amendment by the Senator from Alaska; Calendar No. 1481, Senate Resolution 37, amending rule XIX, relative to disparaging language; and Calendar No. 1494, H.R. 7913, increasing of number of cadets at West Point.

Those measures will be taken up, if not exactly, approximately in that order.

Mr. RUSSELL. Mr. President, did the Senator mention the bill increasing the housing allowance for members of the Armed Forces?

Mr. MANSFIELD. I did not get to that particular one. It was reported from the policy committee today, and will be brought up shortly.

Mr. JAVITS. Mr. President, with regard to Calendar No. 1487, H.R. 8031, is it contemplated that there will be serious opposition to that bill?

Mr. MANSFIELD. That will be the business tomorrow. I understand the Senator from New Hampshire [Mr. CORTON] has a few remarks to make. Other Senators may wish to speak. The Senator from Rhode Island [Mr. PASTORE] will be in charge of the bill.

Mr. JAVITS. Does the Senator expect any serious problems?

Mr. PASTORE. I do not.

Mr. COTTON. Mr. President, as a signer of the minority views, while I will

accept the generalization of my good friend from Rhode Island, I think there is a principle involved, and I shall briefly review the reasons for the minority views which the Senator from Maryland [Mr. BUTLER] and I have signed. Because I feel there is a principle involved that in the future may be of importance, and in which other Senators may share our views, I may request a rollcall, but I would certainly not belabor the issue.

Mr. MANSFIELD. I appreciate what the Senator has just said; and, for the information of the Senator from New York, I may say that there will be opposition.

#### DEPARTMENT OF DEFENSE APPROPRIATIONS, 1963

The Senate resumed the consideration of the bill (H.R. 11289) making appropriations for the Department of Defense for the fiscal year ending June 30, 1963, and for other purposes.

Mr. PROXMIRE. Mr. President, what the pending amendment does, very briefly, is to reduce the appropriation by \$280 million. It provides that none of the appropriation shall be spent for the construction of an aircraft carrier.

The bill now provides for the construction of a conventional, nonnuclear-powered aircraft carrier. It provides \$280 million for that purpose.

The fact is that it will probably cost closer to \$320 million for the ship itself, and if we include the cost of weapons, aircraft, and tankers, it is estimated that the cost will be at least \$1 billion for one ship.

This will not be an addition to the aircraft carriers that we have, but it will be a replacement. It will mean that a somewhat newer type will replace one of the *Essex*-type carriers.

The fact is that we now have 16 carriers. We are supposed to reduce the size of the attack fleet to 14, anyway, so what we are doing is providing a somewhat newer, somewhat more advanced carrier, at a cost of about \$1 billion, to replace one of our older carriers.

Mr. President, the fact is that we are not in competition with anybody on aircraft carriers. The Soviet Union has none and will not build any. We will not be in competition with anyone in the future. The fact is that Red China does not have any. No other Communist country will build any. The British have five aircraft carriers. They are building no new ones. They have some additional small commando-type carriers. The French have one. Germany has none. Russia has none. Red China has none.

Under the circumstances, to make an appropriation of \$280 million, which is only a downpayment on an ultimate expenditure of \$1 billion, is wasteful.

The fact is that, in the judgment of many military experts, aircraft carriers became obsolete at the end of World War II. If they were not obsolete then, certainly developments since then have changed warfare thoroughly.

The human mind has trouble keeping pace with the rapidity of change, when we realize that we are living now in the missile age, when we have planes that can fly at 4,000 miles an hour, when we

have missiles that travel at a speed of 17,500 miles an hour, and we are working on systems, as are the Russians, which give promise of being able to shoot down a missile the size of a typewriter, going at a speed of 17,500 miles an hour, 300 miles in the air. We think we can hit such a missile and knock it down.

Think what an inviting and easy target an aircraft carrier makes in contrast. The size of an aircraft carrier is three times the size of this Capitol. It is three football fields in length. It travels at 30 knots. It makes the easiest kind of target.

The Secretary of Defense has said that such a carrier would be used only under conventional war circumstances. The fact is that under conventional war conditions an *Essex*-type carrier would be as useful as the one we are being asked to provide funds for. The showing of an aircraft carrier is a symbol of our power, prestige, and willingness to act, especially in southeast Asia and other areas where we have no land bases. If we steam up with an *Essex*-type carrier, it is just as impressive in Lebanon, Laos, or Vietnam as if we steamed up there with the latest type of aircraft carrier.

The fact is that an aircraft carrier is slow moving, exceedingly expensive, and would be used only in limited warfare. We have ample aircraft carriers available for that type of warfare.

I reserve the remainder of my time.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield to the Senator from West Virginia.

Mr. RANDOLPH. Mr. President, I shall not labor the time on this amendment, but my colleague from Wisconsin has spoken the truth, and I shall support the amendment.

Mr. PROXMIRE. I thank the Senator.

Mr. ROBERTSON. Mr. President, I yield myself 2 minutes.

It has been repeatedly said during the debate on this bill that we hope and pray we shall never be involved in a nuclear war. We put billions of dollars into our defense with the hope of staying the hand of a possible aggressor. But all military experts are agreed that when we wish to bring our power to bear upon what we call a brush war, we need a surface ship; and if we need a surface ship, it must be a modern one. The *Essex*-type carrier cannot handle our fast airplanes. It kills the pilots and destroys the planes.

In urging support for the \$171 million amendment on the RS-70 bomber, the distinguished Senator from Wisconsin said the President does not want it and that the Defense Department does not want it, and the distinguished Senator from Pennsylvania [Mr. CLARK], who voted with him, said the President told him yesterday, "If you vote it, I will not spend it."

With respect to this aircraft carrier, the President says, "I want it." The head of the Department of Defense says, "I want it." The Joint Chiefs of Staff have said, "We need it." The House committee was unanimous in approving it. The House was unanimous in voting for it, except that the House cut the

amount \$30 million below the budget estimate. The Senate subcommittee was unanimously for it. The Senate full committee was unanimously for it.

Now the distinguished Senator from Wisconsin seeks to place his judgment against the combined military judgments of the leaders of this Nation, and he says it would be a wasteful expenditure. I hope the amendment will be rejected.

Mr. MORTON. Mr. President, will the Senator yield to me 2 minutes?

Mr. ROBERTSON. I yield 2 minutes to the Senator from Kentucky.

Mr. MORTON. Mr. President, I support the Senator from Virginia.

The Senator from Wisconsin makes the point that an aircraft carrier travels only 30 knots. That is exactly 30 knots faster than a missile base travels, I assure the Senator.

The combined military judgment of this Nation, as the Senator from Virginia has pointed out, should be taken into account. The fact that this carrier would replace another aircraft carrier in the fleet is good, in my view. That carrier will not be scrapped. It will be put where it can be revived and put into service again if we should need it.

With the high-speed planes of today, which have to take off and land on carriers, it is necessary to have high-speed modern carriers to accept the planes, to decelerate the plane with high landing speeds.

I hope the amendment will be rejected.

Mr. ROBERTSON. Mr. President, if it is agreeable to the Senator from Wisconsin, who has offered the amendment, I am willing to yield back the remainder of my time, if he will yield back the remainder of his time.

Mr. GOLDWATER. Mr. President, will the Senator yield for a question?

Mr. ROBERTSON. I yield.

Mr. GOLDWATER. I have been trying to find a reference to this carrier in the hearings. I do not see any explanation as to why it was not authorized to be a nuclear-powered carrier.

Mr. ROBERTSON. That is because it was said it would cost too much. The Department wished to try out the one which was recently commissioned before \$100 million more was put into that type of carrier. I am talking about the *Enterprise*. We went on it in the recent maneuvers. It is a wonderful ship.

Mr. MORTON. Mr. President, will the Senator yield to me?

Mr. ROBERTSON. I yield.

Mr. MORTON. Nuclear power for naval vessels is not as important in regard to carriers as it is in regard to certain other types, because of the fact that the carriers can store great amounts of fuel.

The Senator will recall that we discussed this problem in respect to an appropriation bill of 3 years ago. The Department of Defense and the administration did not particularly favor nuclear carriers. Much drama and excitement are involved. A carrier takes on a large amount of fuel. It can go practically around the world without refueling.

The need for nuclear power, marine-wise, is much greater in respect to sub-



marines and some other vessels than in respect to carriers, which have a tremendous capacity for carrying fuel.

Mr. SALTONSTALL. Mr. President, will the Senator from Virginia yield me 1 minute?

Mr. ROBERTSON. I yield 1 minute to the Senator from Massachusetts.

Mr. SALTONSTALL. In addition to what the Senator from Kentucky has said, the additional cost of nuclear power for an aircraft carrier, if my memory is correct, is equivalent to the cost of a Polaris submarine. The amount involved is \$120 million, slightly more than the cost of a Polaris submarine.

In addition to what the Senator from Kentucky has said, the carrier must carry fuel for the aircraft which fly off its deck, so it must be refueled from time to time in order to obtain fuel for the aircraft.

The conventional system is better for those reasons. We get more for the money elsewhere, and it would be necessary to refuel the carrier anyway.

Mr. GOLDWATER. I thank my friend.

Mr. PROXMIRE. Mr. President, I wish to reply briefly to the latest point made.

In the 1959 debate in the Senate on the nuclear-powered carrier several Senators, including some leading members of the Committee on Armed Services, said that to acquire a conventional carrier would be to buy obsolescence. The bill asks us to buy a conventional carrier. It was stated then that it would be a great mistake to do so. I believe the argument had considerable force at that time, when stated in support of the nuclear carrier.

One of the great weaknesses of a carrier is the fact that it must be refueled. This is a weakness in regard to many ships. As the Senator from Massachusetts has said, the carrier not only must carry a great amount of fuel for its own purposes, but also a large amount of fuel for the planes.

Mr. President, I understand that the Senator from Virginia is willing to yield back the remainder of his time. I yield back the remainder of my time. I am ready to vote.

Mr. ROBERTSON. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. PROXMIRE].

The amendment was rejected.

Mr. MORSE. Mr. President, the Defense Department appropriations bill, H.R. 11289, particularly as it relates to the subject of alteration, repair, and conversion of naval vessels, is of great potential importance to the economy of my home State of Oregon, as well as that of the Nation. I strongly support the bill as reported, although I formerly preferred the version passed by the House of Representatives. This bill, as passed by the House on April 18, 1962, would in effect require the Secretary of the Navy to assign 35 percent of the funds appropriated for alteration, repair, and conversion of naval vessels to

privately owned shipyards, with 65 percent of such work remaining in the Government-owned U.S. Navy yards. This would represent an increase in the percentage of work allocated to private yards which, between fiscal years 1953 and 1962, averaged 19.7 percent for repair and alterations and 11.3 percent for conversions, according to statistics inserted in the records of the Defense Appropriations Subcommittee.

As reported by the Senate Appropriations Committee, this provision—section 540—incorporates language advocated by the Secretary of Defense which would give to the President some flexibility in altering this proportion in an emergency.

Oregon possesses none of the 12 U.S. naval shipyards or ship repair facilities. It does, however, have private shipyards of proven capability, such as Gunderson Bros. Engineering, Willamette Iron & Steel, Albina Engine & Marine, Northwest Marine Iron Works, Portland Shipbuilding Co., Floating Marine Ways, and Astoria Marine Construction Co., to name just a few.

Many officers and workers in these concerns as well as interested businessmen, union officials, and local residents have written me concerning the merits of such an allocation. There is a widespread feeling in my State that Oregon shipbuilders ought to have the opportunity to bid on naval repair work, and to receive an increasing amount of it, commensurate with their frequently demonstrated ability to do a better job at less cost to the taxpayer.

I need not review the many considerations advanced in support of a greater proportion of repair work being assigned to private yards. The Members of the Senate, particularly those from States with seafaring traditions, are well aware of what is involved.

I advocate that thorough consideration be given to the recognized efficiency of private shipyards, to the potential saving of taxpayers money, and to the strategic value of further dispersal of naval repair facilities which would result if a greater proportion of this work were to go to private yards of established competence such as are found in Portland and the vicinity. The importance of having an adequate supply of skilled labor on hand in important port areas as those found in Oregon, should also be borne in mind.

A further factor, in these days of the growing concern of this Nation over the situation in Asia, is the development of wartime capabilities on the Pacific coast of this country where many commercial facilities are languishing in contrast to some Canadian ports which flourish in the relative absence of governmental restrictions.

As a vivid and timely example, the repair facilities of the Willamette Iron and Steel Co. recently laid idle for several days, resulting in unemployment for approximately 800 men. During this period, advertisements appeared in the Portland newspapers indicating that shipfitters and welders were needed immediately at the Puget Sound Naval Shipyard.

It is most gratifying to note the belief of the Defense Appropriations Subcom-

mittee of the House of Representatives that—

The entire problem of the utilization of shipyard facilities is a matter for intensive study by the Department of Defense and the Navy with a view toward working out a realistic, practical, and economical approach to the utilization of this capability in accordance with the best interests of the Government.

I commend the House subcommittee for requesting such a study to be made so that the results will be available to the Congress prior to consideration of the 1964 budget estimates, and I hope the Senate will join in the request.

The need for such a study is well illustrated by the state of the transcript of the present hearing, which I find to contain several examples of inconsistency, argumentative material, and comparisons of unequals upon such basic points as comparative costs for repair, employment figures and investment in plant and equipment.

What does clearly emerge from the testimony is the hard fact that our domestic commercial shipbuilding industry is suffering grievously because of foreign competition. This is a matter of legitimate congressional concern. As the Senator from New Jersey [Mr. WILLIAMS] aptly pointed out, foreign nations are undertaking shipbuilding programs for reasons of prestige as well as of economic advantage and the combination of these factors is further aggravating the world's excess of shipping capacity. It is my understanding that the plight of our shipbuilding industry also is influenced by these factors.

Construction, repair, and conversion of naval and related wartime vessels has not in the past, and can never in the future, suffice to sustain the economic health of the industry. According to figures furnished to me in December 1961 by the Bureau of Ships, average employment in private shipyards in fiscal year 1961 was 122,400. This compares to 135,000 during the Korean war, 1,500,000 during World War II, and an average of 52,520 during the years 1933-39. It would seem unrealistic to set industry standards by the 1½ million persons employed during World War II or by the 20 private yards which absorbed this World War II production and have since shut down because requirements have been fulfilled.

In some categories such as for the Military Sea Transportation Service, private industry has done 100 percent of the work, which is along the lines of their traditional operations in construction of merchant shipping.

For other categories, such as repair and alteration, which must sometimes be done on an emergency basis, and must always be done immediately regardless of the complexity and regardless of the state of labor-management relations, the Navy has retained 80.3 percent.

Because of these complex factors, I believe it is appropriate that both the Navy's request for \$200 million to modernize its yards and the request of private shipbuilding interests for a greater share of repair and alteration work be thoroughly studied.

While this study is being conducted, I urge as a Senator from the State of Oregon, that the subcommittee retain that portion of the House version of H.R. 11289 providing an increase for the next fiscal year in the proportion for ship-work going to private yards.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 11289) was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Indiana [Mr. HARTKE], the Senator from Minnesota [Mr. HUMPHREY] and the Senator from Michigan [Mr. McNAMARA] are absent on official business.

I also announce that the Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

I further announce that the Senator from Alaska [Mr. GRUENING], the Senator from Wyoming [Mr. HICKEY], and the Senator from South Carolina [Mr. JOHNSTON] are necessarily absent.

I further announce that, if present and voting, the Senator from Mississippi [Mr. EASTLAND], the Senator from Indiana [Mr. HARTKE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Michigan [Mr. McNAMARA], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Alaska [Mr. GRUENING], the Senator from Wyoming [Mr. HICKEY], and the Senator from South Carolina [Mr. JOHNSTON] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN], and the Senator from Utah [Mr. BENNETT] are absent on official business.

The Senator from Maryland [Mr. BUTLER], and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senator from Vermont [Mr. AIKEN], the Senator from Utah [Mr. BENNETT], the Senator from Maryland [Mr. BUTLER], and the Senator from Texas [Mr. TOWER] would each vote "yea."

The result was announced—yeas 88, nays 0, as follows:

[No. 92 Leg.]

YEAS—88

Allott	Carroll	Engle
Anderson	Case, N.J.	Ervin
Bartlett	Case, S. Dak.	Fong
Beall	Church	Fulbright
Bible	Clark	Goldwater
Boggs	Cooper	Gore
Burdick	Cotton	Hart
Bush	Curtis	Hayden
Byrd, Va.	Dirksen	Hickenlooper
Byrd, W. Va.	Dodd	Hill
Cannon	Douglas	Holland
Capehart	Dworshak	Hruska
Carlson	Ellender	Jackson

Javits  
Jordan  
Keating  
Kefauver  
Kerr  
Kuchel  
Lausche  
Long, Mo.  
Long, Hawaii  
Long, La.  
Magnuson  
Mansfield  
McCarthy  
McClellan  
McGee  
Metcalf  
Miller

Monroney  
Morse  
Morton  
Moss  
Mundt  
Murphy  
Muskie  
Neuberger  
Pastore  
Pearson  
Pell  
Prouty  
Proxmire  
Randolph  
Robertson  
Russell  
Saltonstall

Scott  
Smathers  
Smith, Mass.  
Smith, Maine  
Sparkman  
Stennis  
Symington  
Talmadge  
Thurmond  
Wiley  
Williams, N.J.  
Williams, Del.  
Yarborough  
Young, N. Dak.  
Young, Ohio

NAYS—0

NOT VOTING—12

Aiken  
Bennett  
Butler  
Chavez

Eastland  
Gruening  
Hartke  
Hickey

Humphrey  
Johnston  
McNamara  
Tower

So the bill (H.R. 11289) was passed.  
Mr. SALTONSTALL. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ROBERTSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ROBERTSON. Mr. President, I move that the Senate insist upon its amendments and request a conference with the House of Representatives thereon; and that the Chair appoint the conferees on the part of the Senate.

The PRESIDING OFFICER. The question is on the motion of the Senator from Virginia.

The motion was agreed to, and the Presiding Officer appointed Mr. ROBERTSON, Mr. CHAVEZ, Mr. HAYDEN, Mr. RUSSELL, Mr. HILL, Mr. BYRD of Virginia, Mr. SALTONSTALL, Mr. YOUNG of North Dakota, and Mrs. SMITH of Maine conferees on the part of the Senate.

#### AMENDMENT OF THE FEDERAL COMMUNICATIONS ACT OF 1934

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1487, H.R. 8031.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 8031) to amend the Communications Act of 1934 in order to give the Federal Communications Commission certain regulatory authority over television receiving apparatus.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, with an amendment, on page 1, line 8, after the word "of", to insert "adequately".

#### ORDER FOR ADJOURNMENT UNTIL TOMORROW AT NOON

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns tonight, it adjourn to meet at 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### BUSINESS CONFIDENCE MUST BE EARNED

Mr. JAVITS. Mr. President, I desire to speak about the extremely important speech made by the President of the United States at Yale University on the occasion of his receiving an honorary degree there on Monday last. I am deeply interested in the domestic economy and what is happening to it, because I am a member of those committees of the Senate which deal with this subject.

The repercussions of the President's commencement address at Yale, the break and continuing slide in the prices of securities on the stock exchanges, and the growing crisis of business confidence in the economy and in the administration, are likely to make the domestic economy the overshadowing issue of the remainder of this session of Congress.

The state of the economy, as the President of the United States recognized, lends credence to the situation, as the economic community senses a pause in the recovery from the recession of 1960. Although employment seems to have improved, there is some discouraging news on retail sales, personal income, and corporation profits, and we still face the hard nut of endemic, unacceptable unemployment at a rate of 5.4 percent.

This morning we are told that the No. 1 administration priority is tax revision, but this, let us understand, is the legislative action on the tax bill already passed in the House with its highly controversial provisions on withholding tax on dividends and interest, and its provision for income tax credit for new equipment strenuously opposed by the distinguished chairman of the Committee on Finance, who is in the Chamber now. This is not the antirecession tax cut which has been much discussed and which some members of the President's own party are openly opposing.

The President has asked for business confidence. But has he earned it? The answer is, not yet. The grave danger of current events is that we must have business confidence to avoid a recession, to deal with endemic unemployment, to retol and coordinate U.S. trade and industry, to expand our markets, to deal with our adverse international balance of payments and to give equality of economic opportunity.

Business confidence does not mean the confidence of only management or investors; it also means the confidence of labor and consumers. Confidence in Government does not mean only confidence in the President; it also means confidence in the Congress and in the majority party, which at least presumably will determine the actions both of the administration and the Congress.

Can the President ask for the confidence of business if he does not also propose to win that confidence through asserting an equality of leadership when it comes to labor? Can the President expect the confidence of American business in his leadership of the Nation before he shows his ability to lead his own party?



In short, whatever the President may say about myths and clichés, and however agreeable may be his intellectual speculations, both he and the country are up against the hard proposition that confidence to be received must be earned, that the economic equation demands productivity and markets, and that an economy cannot be gotten to move forward by incantations, intellectual as they may be, any more than it can by clichés and myths.

There are some fundamental challenges in American economic life today, which cannot be glossed over or avoided. Among them is endemic unemployment—to which I have already referred—standing at 3.7 million with nearly 700,000 already out of a job for 6 months or longer. The country apparently has no confidence in the intimation that public works are the way to deal with this problem. The country wants a way to increase economic activity, and the traditional New Deal approach to unemployment is considered to be obsolete. Nor does the country have any confidence in the "made-work" idea, understandable as it is that the trade union leaders should resort to demands for a shorter workweek in the absence of anything more substantial on the horizon.

The problem also is in how to make the transition to greater automation, lower costs, and greater integration of the U.S. economy. Here cooperative action and financing during a transition period are most important. The manpower retraining bill is a welcome first step. There are grave problems, however, presented by our antitrust laws which in some of their operations are now also obsolete; by the absence of coordination in American business adequate to meet the cold war challenge and by the absence of any mechanism like a peace production board for this purpose.

Techniques of taxation are far behind the times and the present tax bill does not deal with them. The administration recognizes this and promises to issue new depreciation schedules on equipment and machinery within the month which will help. But the whole problem of incentive in the tax system for those who work and produce has not yet been met or even effectively put before us.

I have this practical suggestion to make, if the President is looking for the confidence of business; and I applaud him for seeking it: A much more constructive purpose could be served now if the administration would announce abandonment of both impractical withholding provisions on dividends and interest and the discriminatory proposals for the taxation of U.S. private foreign investment, so that the tax bill, still in the Senate Finance Committee, could be cleared and passed. In this way the issues would be clarified for meaningful and immediate consideration of the thoroughgoing reform of our tax structure which the administration has promised to put before the Congress this year, and which is proposed to go into effect on January 1, 1963.

I am well aware of the opposition of the chairman of the committee to the 8-percent tax credit for equipment; but I believe there would be not nearly the need for that provision, although I agree with the proposal for it, and I would support it; but that, too, may have to be eliminated.

In combination with the revised depreciation schedules promised within a month, as Secretary Dillon has promised, the U.S. economic community could then plan for the future, instead of peering into a dark jungle of contradictory promises and hopes. A clear view ahead on taxes is needed—and this clear view must include an acceptable, major reform at the lowest and highest levels of taxation, not just a "quickie" tax cut which, in the absence of the other measures I have advocated, would be of little use except to further increase the deficit.

The very difficult balance-of-payments problem which concerns the whole economic world, awaits some resolution. Whatever the President may think about myths in budgets and national debt, many of those who can make or unmake our balance of payments and those with whom we compete intensively in the world market for exports have very different ideas. This does not mean that I do not agree with the President concerning the relation of production to the national debt—for what is important is what we are worth with respect to what we owe—but I am talking about how we can be worth more. That is the new path; and I believe we should follow that path.

Productivity, not words, will answer the "myth," as the President puts it, about the national debt. Yet we see, at the very moment when our whole export trade must be stimulated, a completely contrary attitude on the part of the administration in pushing its tax bill which proposes to disadvantage American investment abroad through its tax treatment, even though such investment is closely tied to our trade and the hopes of improving our international balance of payments.

The President has asked for a "serious dialogue of a kind which has led in Europe to such fruitful collaboration among all elements of economic society and to a decade of unrivaled economic progress." I join him in this; but I also point out that leadership demands action and decisions and, above everything else, being able to lead in one's own house before one tries to lead the world.

The President has the means to accomplish the results he seeks. It is in the interest of every American that he succeed, and it is in this spirit that I speak today.

I want the President to succeed. The fact that he and I are members of different political parties is immaterial to me and to the rest of the country. This is not that kind of a debate. I want the President to succeed; and I offer these suggestions, based upon my work in the Senate and also upon a fair knowledge of the greatest financial market in the world—that in New York City. I re-

gard the steps I have suggested as absolutely indispensable in order to assure the economic progress of the country.

Mr. KEATING. Mr. President, will my colleague yield?

Mr. JAVITS. I yield.

Mr. KEATING. I wish to congratulate my colleague on his excellent address, and also for the specific recommendations he has made, the most important of which calls for an announcement by the administration that it is abandoning its tax program insofar as a withholding tax on dividends and interest is concerned. I also congratulate my colleague for proposing that the administration abandon what he very properly calls its discriminatory proposals for the taxation of U.S. investors abroad. I hope those in the administration who are concerned with these matters will give careful heed to the recommendations my colleague is making.

In his address at Yale, the President discussed three kinds of myths—those relating to the size and scope of government, to fiscal policy, and to what he termed "the matter of confidence." He sought to dispel what he called those "myths", in terms of the policies and the objectives of his administration.

However, in making his address at Yale, the President ignored a fourth area. Despite overtures to private business, the President retains an apparent and quite obvious apprehension about the business community. Personally, I believe it is a myth to think that the interests of business and the interests of Government necessarily are opposed.

I agree with the President that public confidence is fundamental to a free economy. What we have observed in recent weeks—the stock market dip and the slowdown in our business growth rate—amount essentially to a crisis arising from a lack of confidence. The President is correct in stressing this point; but certainly he must do his share in building the necessary confidence.

At one point in his address at Yale University the President made an obvious reference to business leaders, when he said:

If a contest in angry argument were forced upon it, no administration could shrink from response, and history does not suggest that American Presidents are totally without resources in an engagement forced upon them because of hostility in one sector of society.

I wish that sentence had been omitted from the President's address.

I doubt very much that the business community is as hostile as the President implies. Private industry is basic to a free-enterprise system; and if businessmen were of the frame of mind he attributes to them, we would be in for rough sledding.

So I trust that his reference to "a contest in angry argument" does not reveal a hesitation on his part to really cooperate with industry. In a society whose lifeblood is friendly cooperation between labor, industry and Government, any failure of the administration to

trust and respect one or another of these parties can throw up a real barrier to the building and maintaining of confidence in a free economy.

Mr. President, in the course of his address my colleague referred to tax revision as the No. 1 priority of the administration; but he also pointed out that this entire economic question is gradually becoming the overshadowing issue for the remainder of this session of Congress—as it is.

There was a time when Secretary Ribicoff talked about a "sleeper" issue for 1962; and I believe he was referring to the important proposed legislation relating to medical care. His choice of terms was an interesting one at the time; and right now it seems as if the "sleeper" issue—perhaps with a slight play on words—for 1962 will be the economy.

Our recovery has slowed down to a crawl. Unemployment remains dangerously high. In other respects the rebound from the 1960-61 recession has been the slowest of any of the four post-war recessions. So the "sleeper" issue may be, Why is everyone, labor and business included, so confused and uncertain about the economy? Why has there been such a complete failure in the efforts to build public confidence and to get America moving again?

I join with my distinguished colleague in the desire to make constructive suggestions. There is no gain for anyone, in any political party, or in any sector of our economy, in not getting America moving again, in not getting this sluggishness in the economy eliminated.

I believe my colleague has made several constructive suggestions today. I agree completely in the approach which he has made to this problem.

Mr. JAVITS. I am very grateful to my colleague. May I say, in response, that vindictiveness is not the way of American public life. I voted, in my time, against the Taft-Hartley Act and other measures which I thought were punitive and vindictive on labor. I believe the same way about vindictiveness toward management, or in any other segment of our economy. If anybody gets vindictive, the American people and the American form of government, including Congress, have ways to deal with it. I think we have a right to move forward on the assumption that vindictiveness will not be a part of the American scene.

I have said these things today—and I will be brief because I respect the time of the Senate and its desire to pass the bill today, if possible—when we are appropriating money in the area of \$48 billion. Where does it come from? It comes from the productivity of the economy that we are talking about. The Government produces nothing; the Government collects and does the things the people want done. This is an enormous block of production we are talking about. So it is very pertinent to decide what is the best policy to pursue in order to give us the best possibility of enjoying the fruits of that production for our own safety and defense.

In conclusion, I would like to make a part of my remarks the four questions

which the President asked in his Yale speech, to which I am making my contribution in the way of an answer to those questions.

These questions are:

How can we develop and sustain strong and stable world markets for basic commodities without unfairness to the consumer and without undue stimulus to the producer?

How can we generate the buying power which can consume what we produce on our farms and in our factories?

How can we take advantage of the miracles of automation, with the great demand that it will put upon high-skilled labor and yet offer employment to the half a million of unskilled school dropouts every year who enter the labor market—8 million of them in the 1960's?

How do we eradicate the barriers which separate substantial minorities of our citizens from access to education and employment on equal terms with the rest?

I hope the President will consider it is not only a problem which is in the Executive, but one which is in the Congress, and will therefore pay strict attention to the observations and suggestions which are made here.

#### MEDICAL CARE FOR THE AGED

Mr. ALLOTT. Mr. President, we have heard a great deal lately from the administration to the effect that the American people have been badly misled and misinformed with respect to the true intentions of the President's medicare proposal. In his recent address at Madison Square Garden, President Kennedy pleaded with the American people to seek the truth on this issue, presumably on the basis that once our citizens became aware of the facts as presented by the administration they would then support this measure without reservation.

Recently I received a letter from Bill Armstrong, managing director of radio station KOSI in Denver. True to the tradition of public service, KOSI took the President's challenge and ran a series of statements pro and con in order to stimulate public interest. The listeners were then invited to call the station and register an opinion on the proposal.

While I intend to include Bill Armstrong's letter in the RECORD, I would like to point out to the proponents of this legislation that out of a total of 6,397 telephone calls to the station, 5,516 individuals were against this measure.

It would appear to me that the administration has grossly underestimated the ability of the American people. I shall only add here that the proof of the pudding is in the eating thereof.

I ask unanimous consent to have the letter printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DENVER, COLO., June 8, 1962.

HON. GORDON ALLOTT,  
Senate Office Building,  
Washington, D.C.

DEAR SENATOR ALLOTT: As you know, KOSI has been extremely interested in the King-Anderson bill, which is now pending before

Congress. We have felt that the public has not been very well advised as to the merits and drawbacks of this proposal, and, in an effort to stimulate public enthusiasm for the close scrutiny of the bill, we have set out to broadcast a series of statements, both pro and con, regarding the legislation, and asked our listeners to call us at KOSI public opinion poll headquarters where we set up a battery of telephone operators to receive calls from listeners expressing themselves either for or against the legislation.

It occurred to me that you will be interested in the results of the poll. During 4 days our operators (pledged to keep the tally honestly and accurately and supervised by station personnel) answered 6,397 phone calls and reported the following:

		Percent
For.....	881	13.7
Against.....	5,516	86.3
Total.....	6,397	100.0

We, of course, maintain an absolutely impartial position on the bill and attempted to present both sides of the case in the various statements which were broadcasted by speakers favoring and opposing the legislation. While we do not think that this public opinion sample is necessarily scientific nor projectable to the State of Colorado as a whole, we do believe that it has some meaning. Certainly the mere fact that so many people took the trouble to express themselves on the issue indicates the importance of it to the public.

We hope this information will be of interest and useful to you.

Respectfully submitted.

W. L. ARMSTRONG,  
Managing Director, KOSI.

#### AMENDMENT OF THE FEDERAL COMMUNICATIONS ACT OF 1934

The Senate resumed the consideration of the bill (H.R. 8031) to amend the Communications Act of 1934 in order to give the Federal Communications Commission certain regulatory authority over television receiving apparatus.

Mr. PASTORE. Mr. President, there appears a very simple and very clear explanation for the need of this legislation in the committee report, which begins at page 2. I ask unanimous consent that there may be inserted in the body of the RECORD at this point in my remarks the explanation which appears in the report beginning at page 2 and ending on page 5. My reason for doing this is to afford the Members of the Senate an opportunity to read this very short explanation, which I believe will be very helpful.

There being no objection, the excerpt from the report was ordered to be printed in the RECORD, as follows:

#### NEED FOR LEGISLATION

One of the most valuable national resources which this country possesses is the radio spectrum. In carrying out its statutory mandate to provide the people of the United States with a truly nationwide and competitive broadcasting system, the FCC has allocated sufficient spectrum space to accommodate 2,225 television stations, which include 1,544 UHF stations and 681 VHF stations. But, chiefly because of the non-availability of television receivers which are capable of picking up UHF signals as well as VHF signals, the bulk of the UHF band is unused today, for at present there are only 103 UHF stations and 500 VHF stations in actual operation. This means that only 7 percent of the potential UHF assignments



are in actual use, while the remaining 93 percent remain idle.

This legislation is designed to remedy this situation, for its basic purpose is to permit maximum efficient utilization of the broadcasting spectrum space, especially that portion of the spectrum assigned to UHF television. At the same time, this legislation will benefit the public interest in other substantial and important respects, for in addition to bringing new television service to underserved areas it will promote the development and growth of educational television.

At present the FCC has reserved 270 television channels for educational purposes, of which only 62 are in use. Of the total reserved for educational purposes, 92 are VHF and 187 are UHF. Only through the establishment of additional educational television broadcasting facilities and the activation of noncommercial educational television broadcasting stations can the goal of creating an educational television system serving the needs of all the people in the United States be accomplished.

Recently the Congress enacted legislation (Public Law 87-477, 87th Cong., 2d sess.) that provides for grants-in-aid for the acquisition and installation of television transmission apparatus for certain educational television broadcasting stations.

During the consideration of this educational television legislation, it became evident, as a result of a national study, that there was a maximum need for at least 97 VHF and 821 UHF channels which should be added to the presently reserved channels to meet the needs of education in the years ahead. This means, in short, that the minimum needs of education projected from a grassroots level from school to school throughout the country will require at least 1,197 television channels for over-the-air broadcasting, in addition to closed circuit systems which might be used.

Therefore, it becomes obvious that this legislation calling for the manufacture of all-channel television receivers ties in significantly with the recently passed educational television legislation. For even in areas where there is extensive commercial VHF service, the all-channel television receiver legislation would help create the type of circulation which will permit the development of the educational television broadcasting stations that use UHF channels.

This goal would be achieved by eliminating the basic problem which lies at the heart of the UHF-VHF dilemma—the relative scarcity of television receivers in the United States which are capable of receiving the signals of UHF stations. Of the approximately 55 million television receivers presently in the hands of the public, only 9 million (or about 16 percent) can receive UHF signals. This scarcity of all-channel receivers is further aggravated by the fact that the overwhelming bulk of television set production is limited to VHF sets only. Moreover, since 1953, the situation has become progressively worse. In that year, over 20 percent of television receivers were equipped at the time of manufacture to receive UHF; by 1961, that percentage had declined to 6 percent.

The practical effect of this scarcity of all-channel receivers is clear: It prevents effective competition between UHF and VHF stations which operate in the same market, thus relegating UHF to those areas where no VHF stations are in competition. Where the two types of stations operate together, advertisers show a marked preference for placing their programs on VHF outlets, as do also networks, who will affiliate with a VHF station wherever possible. Nor has the viewing public shown any substantial willingness to buy receivers capable of receiving UHF signals, except in those areas where no VHF programs are available.

At the present time the country is divided into 278 so-called television markets: 127 of

these markets have only 1 television station, 70 are 2-station markets, 57 are 3-station markets, and 24 are markets with 4 or more stations. Consequently, under the television market term, almost three-fourths of the television markets have a choice of one or two local stations. The significance of these figures illustrate that our present system of competition in the television field is limited by the allocations structure to no more than three national networks. Moreover, even in terms of the present 3 networks, 1 of them is under a limited handicap because of the second figure (70 markets are limited to 2 stations) and this leads to a situation that makes it difficult for a third network to secure primary affiliates in those markets. In addition, the opportunity for local outlets which would be available for local programming and local self-expression is severely restricted in many of the markets because of the limited number of stations that are available and even in those areas where there are some available, the stations are network affiliates.

Over the years, this problem has been exhaustively considered by your committee, the House Committee on Interstate and Foreign Commerce, and the Federal Communications Commission. Since 1953, numerous hearings have been held on this subject, and both Congress and the Commission have explored various alternative solutions for the UHF problem. One of these proposed solutions—the possibility of obtaining from the Department of Defense additional frequencies for use in the VHF and lower UHF portions of the lower portions of the radio spectrum—turned out to be impracticable because of the disruption which would have been caused to Government radio services operating on the frequencies proposed to be reassigned.

Another proposed solution contemplated a 70-channel UHF-only television system. But the FCC rejected this proposal on the grounds that it would cause a tremendous and unwarranted dislocation of services, and further, that there is a definite need for utilizing both UHF and VHF television channels. There is thus a vicious cycle; refusal by the public to buy UHF sets until there are UHF stations offering attractive programs, and the inability of UHF broadcasters to provide good programming in the absence of an audience which will attract advertisers and networks. The net result: Very few UHF stations have dared to go on the air; of those that have, 100 had to give up and are now dark.

In light of these considerations, your committee was impressed by the following judgments reached by the FCC:

First, that it is necessary to break this vicious cycle that has been strangling UHF television.

Second, that this must be done by striking at the root cause of the problem—namely, the lack of television receivers capable of receiving UHF signals.

And, finally, that the only practical and effective means of insuring that such receivers get into the hands of the public is to enact legislation requiring that all sets manufactured are capable of receiving all of the channels allocated for television use in both the UHF and VHF portions of the spectrum.

We have fully considered the various arguments which have been advanced against this legislation. It has been argued that it would be a dangerous precedent which might lead to congressional control of all types of manufactured products. It must be remembered that this involves a unique situation which would not in any way constitute a general precedent for such congressional regulation of manufactured products. Thus we are here concerned with an instrumentality of interstate commerce. Television receivers are an essential factor in

the use of the spectrum, and, as such, are clearly within the ambit of congressional legislation.

While initially there will be an increased cost, it is expected that this will be substantially reduced once the benefits of mass production are fully realized. In any event, the relatively slight increase in cost will be a small price to pay for the unlocking of the 70 valuable UHF channels.

## MEDICAL AND HEALTH CARE UNDER THE SOCIAL SECURITY SYSTEM

Mr. DOUGLAS. Mr. President, the Bloomington Pantagraph is at once one of the most influential and most conservative newspapers in central Illinois. It is therefore extremely significant that it should have published a strong and lucid editorial supporting medical and health care for the aged under the social security system.

I ask unanimous consent that the editorial, which appeared in the Pantagraph for May 8, 1962, be printed in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

### SOCIAL SECURITY BEST MEDICAL CARE PLAN

After thorough study of the alternatives we believe the social security approach to medical care for the aged is the most reasonable yet proposed.

It offers the only effective opportunity for prepaying of medical and hospital costs by the greatest number of people.

It is the only plan which does not involve the appropriation of Federal funds for its financing for those unable to buy private plans.

It is clear that the administration and the American Medical Association, the principal opponent to the social security approach, cannot compromise on the key issue in any medical plan—how to pay for it.

We do not say that the program now envisioned by the administration is the best one which could be devised under social security. The provisions fall far short of adequate protection.

The argument that medical care for the aged under social security would be socialistic cannot stand the real test of logic.

The Federal-aid program under the Kerr-Mills legislation is outright socialism in that the recipient pays nothing toward it. On the State and Federal level it is a drag on general revenues.

Some States have shifted all the burden to the Federal Government by reducing regular matching appropriations for aid programs by the amount of the Kerr-Mills grant.

Most plans put forward call for the use of Federal funds.

The American Hospital Association, for example, has suggested Federal grants-in-aid to assist low-income families in paying the cost of Blue Cross premiums. Even the plan for tax deduction credit (the Bow plan) involves Government aid.

We feel that Representatives and Senators who cry socialism in opposition to the extension of social security to medical care had best look to their own generous pensions and to the virtually free medical and hospital attention they receive from the Government.

Congress seems to worry less and less about spending—if it benefits its own membership.

Many insiders in Washington predict that a social security-oriented medical plan will be adopted by the Congress. There is every reason to believe that grassroots sentiment is growing in favor of such a program.

We do not have the answer to those who fear medical care for the aged under social

security is only the first step to universal medical care on the British plan.

That battle can be fought when it arises. But the fact remains that fewer than half our citizens over 65 have health insurance and still fewer have adequate protection.

With the high risk involved, private plans are out of the reach of many. Many, however, will not abandon private plans if social security medical care is adopted. Insured private retirement plans have not suffered because of social security.

The Kerr-Mills legislation, adopted last year, is a Federal matching program similar to those under which States operate old-age assistance and aid to dependent children programs.

Illinois appropriated \$9 million; Federal funds in a similar amount are available. But only 24 States passed enabling legislation to take advantage of the plan. They didn't have the money. It is an awkward program and a humiliating one. To get aid recipients must be classed as "medically indigent."

In the large view, this country cannot afford to let the aged ill suffer when the free enterprise system has the genius and the capability of providing well for all our citizens.

#### ADJOURNMENT

Mr. McCARTHY. Mr. President, if there is no further business to come before the Senate, I move that the Senate adjourn, under the previous order, until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 50 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Thursday, June 14, 1962, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, JUNE 13, 1962

The House met at 12 o'clock noon. The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Genesis 28: 16: *Surely the Lord is in this place; and I knew it not.*

O Thou whose throne is in the heavens, although Thou art high and holy yet hast Thou respect unto the lowly.

We rejoice that Thou art willing to dwell in the tabernacles and temples of time and to make the hearts of the humble the habitation of Thy love.

Gird us with faith and courage as we seek to discharge our appointed tasks faithfully and aspire to be coworkers with Thee in building Thy kingdom of peace.

May it be our purpose and passion to remove all the barriers that divide the members of the human family so that the spirit of good will may grow and Thy name be glorified among all mankind.

Hear us for the sake of our blessed Lord. Amen.

#### THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 10802. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1962, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes thereon, and appoints Mr. HAYDEN, Mr. RUSSELL, Mr. McCLELLAN, Mr. BYRD of West Virginia, Mr. BIBLE, Mr. MUNDT, and Mr. YOUNG of North Dakota to be the conferees on the part of the Senate.

#### COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. MACK. Mr. Speaker, I ask unanimous consent that the Subcommittee on Commerce and Finance of the Committee on Interstate and Foreign Commerce be permitted to sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### ECONOMIC PHILOSOPHY OF WILLIAM GRAHAM SUMNER OF YALE UNIVERSITY

Mr. AUCHINCLOSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. AUCHINCLOSS. Mr. Speaker, as a Yale alumnus of the class of 1908, I am proud that my alma mater has honored the President of the United States in conferring on him the honorary degree of doctor of laws, but his remarks in accepting this honor have given me pause for thought. Yale University has been steeped in the sound economic philosophy which has made our country great by the utterances of one of its immortal professors, William Graham Sumner, who was professor of political and social science from 1872 to 1909 when he retired.

Recognized by the teachers of political science as a leader whose utterances have an alltime applicability, his philosophy and reasoning are still studied and recognized as sound and truthful. If we are to accept the advice of the President of the United States, this basic philosophy will be considered as a myth. I could not help but think that at the conclusion of the President's remarks the ghost of Prof. William Graham Sumner rose and quoted from his writings in 1909:

We are inheritors of civil institutions which it has cost generations of toil and pain

to build up and we are invited to throw them away because they do not fit the social dogmas of some of our prophets.

And again:

If this country, with its population, its resources and its chances is not prosperous by the intelligence, industry and thrift of its population, does any sane man suppose that politicians and stump orators have any devices at their control for making it so?

The leaders of our country at this critical time would be benefited by studying the philosophy of the late Prof. William Graham Sumner.

#### CALL OF THE HOUSE

Mr. MACK. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 107]

Addonizio	Dooley	Moulder
Alford	Flood	Norrell
Ashmore	Granahan	Powell
Blitch	Harrison, Va.	Riley
Boykin	Hoffman, Mich.	Saund
Celler	Holifield	Sheppard
Collier	Horan	Smith, Miss.
Colmer	Jones, Ala.	Steed
Curtis, Mass.	Kearns	Stubblefield
Davis, Tenn.	Landrum	Yates
Dent	McMillan	
Diggs	Miller, N.Y.	

The SPEAKER. On this rollcall, 402 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

#### FRYINGPAN-ARKANSAS PROJECT, COLORADO

The SPEAKER. The unfinished business is the question on the passage of the bill H.R. 2206, which the Clerk will report by title.

The Clerk read the title of the bill.

The SPEAKER. On this question the gentleman from Pennsylvania [Mr. SAYLOR] demanded the yeas and nays.

The yeas and nays were refused.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the yeas appeared to have it.

Mr. SAYLOR. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. Two hundred and sixty-one Members are present, a quorum.

So the bill was passed.

A motion to reconsider was laid on the table.

#### COMMITTEE ON BANKING AND CURRENCY

Mr. MULTER. Mr. Speaker, I ask unanimous consent that Subcommittee